

FILING FEES WAIVED R. 1:13-2

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ATTORNEYS FOR PLAINTIFFS

CRAMER HILL RESIDENTS ASSOCIATION, INC.,
ABLETT VILLAGE RESIDENT ASSOCIATION,
CENTENNIAL VILLAGE TENANTS' ACTION
COUNCIL, CARMEN ARCE, VELLETTA BAILEY,
CARMEN BARBOSA, TERESA BELCHER, JAMES
BLUE, ELWOOD BROWN, DONALD BROWN, IRIS
CAPO, SHAKIA CARNEY, KALISHA CARTER,
CARMEN CASTRO, DOLORES CHAPMAN,
ERNESTINE CHASE, LYDIA CINTRON, MARIA
DIAZ, CARMEN FLORES, LATONYA FORD ,
BABBETTE GILBERT, LAVERN GILCHRIST,
CARMEN GONSALEZ, AIDA GONZALEZ, KAREN
HAIRSTONE, CHERYL HALL, SANDRA HILTON,
EDNA HINKLE, DEMITRON HUNTER, DAWN
JENKINS, ALLEEISH JONES, SHARON JOYCE,
VERONICA LOVETT, ELIZABETH MALARE,
EUSENIO MARTINEZ, VIRGILIO MATIAS,
CARMEN MENDEZ, IVELISSE MERCADO,
MONIQUE MITCHELL, ROSE MITCHELL,
LAKEISHA MOLOCK, OLGA MORALES, SUGEID
MORALES, JOHANNA MUNIZ, KATHERINE
MUNIZ,, YOLANDA NASH, BELINDA NORRIS,
RUTH OLIVERAS, YOLANDA ORTIZ AND
MIGUEL MORALES, MARISEL PABON, PHYLLIS
PERRY, JUANITA PETERS, CHRISTINE PETERS,
DEBORAH PHILLIPS, SHARON PHILLIPS,
CARMEN PLANTENY, ELIZABETH PONCE,
FLOYD POPE, JOSE QUINONES, SAMUEL REYES,
ANGEL ROSA, CONRADA SANCHEZ, LINNETTE
SANTIAGO, TERESA SANTIAGO, MARY
SIMPSON, ARICKA SMITH, ELIGIA SOSA,
NANCY SURGICK-INGE, LISA TATUM,

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION

CAMDEN COUNTY

Docket No.

CIVIL ACTION

SECOND AMENDED ACTION IN
LIEU OF PREROGATIVE WRIT AND
SECOND AMENDED COMPLAINT
FOR DECLARATORY AND
INJUNCTIVE RELIEF

Docket No.: L-08135-04

LUZ VASQUEZ, MARIA VILLANUEVA, ADA WASHINGTON, TONY WHIDBEE, CARMEN ACEVEDO, HILDA AHART, BERNARD BARFIELD, TERESA BERROA, RICHARD BROWN, HANNAH BROWN, MARIA CALAF, CARMEN CARDONA, JESUS CORDERO, MARY CORTES, LINDA DAVIS, REBECCA GARCIA, LESTER GROSSNICK, MARGARET GROSSNICK, MICHAEL HAGAN, JAMES HAULSEY, SARA HERNANDEZ, CLAYTON KING, MARY LEWIS, JOHN MAHER, LARRAINE MAHER, HECTOR MARTINEZ, LISA MELLET, PHILIP MILLS, LUZ PACHECO, LUZI REYES, SAMUEL REYES, ANA RIVERA, CATHERINE RIVERA, JUNEL RIVERA, LIDIA RIVERA, CARMEN SANTIAGO, JOSE SANTIAGO, SAMUEL SANTIAGO, JOSE TORRES, MARIA ACETTY, JOSE GONZALEZ, NELIDA MARTINEZ, VANCE MCMANANY, WANDA NIEVES, MARGARITA RIVERA, SHERMAN ROBINSON, JESENIA ROLDAN, LUZ M. SERRANO, TIFFANY WHITEHEAD, MARIA ABUERTO, LAURA SHARON BAKER, SARA BALDWIN, LISA BOSWELL, LAURA BROWN, NICOLE BURGOS, MARGIT BURKHALTIZ, MILDRED CARABALLO, CYNTHIA CARTER, CARMEN CINTRON, JEANNE' CLARK, MARILYN CLARK, GABRIELA COLON, KEVIN DORMAN, CARMEN FIGUEROA, CARMEN GARCIE CORREA, ELMER HAMMOND, ANGEL ISQUIERDO, SHEILA JOHNSON, DELORES JONES, CLARIBEL LARIOS, GERTRUDE LEWIS, ALBERTO LOPEZ, NORMA MATOS, JUANITA MCCOY, AILEEN MEDINA, KYLENE MEDINA, SYLVIA MERCADO, SARA MOJICA, DELIA MOLINA, FELICIA PARKER, JOSEFA PAGON, EDWINA PENNINGTON, TIFFANY PRITCHETT, LUZ RENTAS, JENYTHE RUBERTE, LUCILA SANTIAGO, LETICIA SANTOS, MICHELLE SEDDENS, MARISOL SENQUIZ, CHEKEYA STREATER, DAYSI TARQINI, GENEVIEVE TORRES, LUZ TORRES, BELINDA VANEMAN, BETTY VAZQUEZ, OLGA VEGA, JOANNA VILLEGAS, SAKA WATKINS, EVELYN WHETSTONE, CONNIE WITCHER, LAVENDA WYNN, PATRICIA WYNN, DONNA YOUNG, MARIA ZAPATA, MILAGROS ACOSTA AND

ALEXANDER HERNANDEZ, MADELAINE
ADDERLEY, BOBBY BARR, SANTO BONILLO,
CARMEN CABON, CONSTANCE CARSTARPHEN,
DANIKA DANIELS, PHENESIA DARBY, FELIPE
AND NILDA DIAZ, MILAGROS DIAZ, DARLENE
FIGUEROA, SANDRA GONZALEZ, HOWARD
HALL, IRMA HERNANDEZ, TERRI JOHNSON,
MAGDA JUSINO, LORETTA LEE, CARMEN AND
MARCOS LOPEZ, MIRIAM LOPEZ, LUZ MOLINA,
SALVADOR MORALES, ROSA MULLER, PHOEBE
MUNOZ, TERESA AND GEORGE MURRAY,
ROBERT MUSE, NILDA ORTEGA, LISETTE
PANETO, LINDA PERRY, LUZ RAMOS, WANDA
QUILES, TAMMY ROBINSON, AYDA
RODRIGUEZ, BECOLIA TARTE, BETSY TORO,
JULIO VASQUEZ, ZULMA VASQUEZ, LATISHA
WILLIAMS, SUSIE WILLIAMS, AWILDA ZAYAS,

Plaintiffs,

vs.

MELVIN R. "RANDY" PRIMAS, CITY OF
CAMDEN, CITY OF CAMDEN PLANNING
BOARD, CAMDEN CITY COUNCIL, CAMDEN
REDEVELOPMENT AGENCY ECONOMIC
RECOVERY BOARD FOR CAMDEN, and STATE
OF NEW JERSEY,
Defendants, and

CHEROKEE CAMDEN, LLC,
Intervenor, and

MICHAELS DEVELOPMENT COMPANY, RIVER
HAYES REMEWAL ASSOCIATES I, L.P. and
RIVER HAYES RENEWAL ASSOCIATES II, L.P.,
Intervenors

PRELIMINARY STATEMENT

1. Cramer Hill residents and community organizations bring this civil rights action and action in lieu of prerogative writ under R. 4:69 to challenge, among other things, the City of Camden's adoption and the State's approval of the City of Camden's Cramer Hill

redevelopment designation and redevelopment plan, which would result in the demolition of 1,200 existing affordable rental and homeowner units, displace thousands of low-income residents, and destroy one of Camden's most stable, viable and diverse communities.

2. Plaintiffs bring this action against the state-appointed Chief Operating Officer (COO) Melvin R. "Randy" Primas, in his official capacity, the Camden City Council, the Camden City Planning Board, the Camden Redevelopment Agency, the state Economic Recovery Board for Camden, and the State of New Jersey.
3. The COO, the Camden Redevelopment Agency, the City Planning Board, and City Council approved and adopted the Cramer Hill redevelopment designation and redevelopment plan in violation of state and federal law:
 - a. The City of Camden's Cramer Hill redevelopment designation and redevelopment plan violate the requirement to act in a manner consistent with the general welfare under Art. I, Par. 1, and Art. VIII, Section 3, Par.1 of the New Jersey Constitution.
 - b. The designation of the redevelopment area and the adoption of the plan did not comply with mandates of the New Jersey Local Redevelopment and Housing Law ("LRHL"), N.J.S.A. 40A:12A-1 et seq. and the Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq.
 - c. The actions of defendants to implement the plan, including adoption of an ordinance to acquire properties by eminent domain, violate the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq., the State Relocation Assistance Act, N.J.S.A. 52:31B-1 et. seq. and are premature as no redevelopment plan has been properly adopted;

- d. The Camden Redevelopment Agency exceeded the authority granted it under N.J.S.A. 40A:12A-8 by taking actions prior to the valid adoption of a redevelopment plan, rendering the agency's actions void and ultra vires.
 - e. The City's authority to exercise eminent domain under the LRHL violates federal law under 42 U.S.C. §1437p and 12 U.S.C §1715z-15 and 42 U.S.C. §1437(f)(t) regarding federally-funded public and Section 8 apartments.
 - f. The Cramer Hill redevelopment plan unlawfully discriminates against African-American and Hispanic Cramer Hill residents in violation of their rights under federal Fair Housing Act, Title VIII of the Civil Rights Act of 1968, 42 U.S.C. §3601 et seq., and the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et seq.
 - g. Defendants' use of eminent domain to forcibly take Plaintiffs' homes in the Cramer Hill neighborhood, where no blight exists, and to replace them with private development, is not a public use but, rather, constitutes a private use in violation of the Fifth Amendment to the United States Constitution and Art. I, Par. 20, and Art. VIII, Section 3, Par. 1 of the New Jersey Constitution.
4. Plaintiffs seek, among other things, declaratory and injunctive relief invalidating the City of Camden's Cramer Hill redevelopment designation and redevelopment plan.

PROCEDURAL HISTORY

5. Plaintiffs filed an appeal in the Appellate Division challenging the designation of the Cramer Hill neighborhood as an area in need of redevelopment and the adoption of a redevelopment plan for Cramer Hill on July 29, 2004, Docket No. A-6600-03T3.

6. The Appellate Division dismissed the appeal on October 28, 2004. The Order provided that Plaintiffs may file an Action in Lieu of Prerogative Writs in the Law Division nunc pro tunc the filing date of the appeal.
7. Plaintiffs filed an Action in Lieu of Prerogative Writs and Complaint for Declaratory and Injunctive Relief on November 17, 2004. The Action was consolidated with three other pending cases in the Law Division which also challenged to the Cramer Hill redevelopment Plan, captioned River Front Recycling and Aggregate, LLC v. City of Camden, et al., Docket No. L-004238-04, W. Hargrove Recycling, Inc. et al v. City of Camden, et al., Docket No. L-4155-04, and Express Marine, Inc. et al v. City of Camden et al, Docket No. L 4431-04.
8. Plaintiffs were granted leave by the Court to file an amended complaint at a case management conference held on March 4, 2005.
9. Pursuant to motions, at various times, the court allowed Michaels Development Company, River Hayes Renewal Associates I, L.P. and River Hayes Renewal Associates II, L.P (collectively referred to as MDC Entities) and Cherokee Camden, LLC, to intervene in the consolidated action, as defendants.
10. Plaintiffs were granted leave by the Court to file a second amended complaint at a case management conference held on August 5, 2005.

PARTIES

Plaintiffs

11. The Cramer Hill Resident Association, Inc. (Association) is a non-profit corporation founded for the purpose of improving the quality of life in the Cramer Hill neighborhood,

uniting and involving residents in community activities and decision-making, engaging in neighborhood planning and revitalization, and defending the Cramer Hill community against unjust use of eminent domain, and forced displacement of Cramer Hill residents.

The membership of the Association is comprised of residents of Cramer Hill.

12. The following individual Plaintiffs are Cramer Hill resident homeowners: Carmen Acevedo (Hispanic), 1612 Pierce Avenue; Hilda Ahart (African-American), 1041 Bergen Avenue; Bernard Barfield (African-American), 2841 Lincoln Avenue; Teresa Berroa (Hispanic), 2812 Harrison Avenue; Santo Bonillo (Hispanic), 1021 North 18th Street; Richard Brown and Hannah Brown, (African-American), 2831 Wayne Ave.; Maria Calaf (Hispanic), 2016 River Road; Carmen Cardona (Hispanic), 1064 North 34th Street; Jesus Cordero (Hispanic), 1252 North 28th Street; Mary Cortes (Hispanic), 2815 Arthur Avenue; Linda Davis (African-American), 1123 North 33rd Street; Felipe and Nilda Diaz (Seniors, Hispanic), 838 North 33rd Street; Darlene Figueroa, (African American), 2008 River Avenue; Rebeca Garcia (Hispanic), 2830 Polk Avenue, Lester and Margaret Grossnick, (Caucasian, Senior Citizens), 1255 Harrison Avenue, Michael Hagan (Caucasian), 1250 North 32nd Street, James Haulsey (African-American), 1830 Concord Avenue, Alexander Hernandez and Milagros Acosta (Hispanic), 1228 North 20th Street, Sara Hernandez (Hispanic) 1183 Bergen Avenue; Magda Jusino (Hispanic), 836 North 34th Street; Clayton King (Caucasian, Senior Citizen), 2878 Buren Avenue; Loretta Lee (African-American), 2823 Wayne Avenue, Mary Lewis (Senior Citizen), 1119 North 33rd Street; Carmen and Marcos Lopez (Hispanic), 2018 River Road, John Maher and Lorraine Maher (Caucasian,

Senior Citizens), 1232 32nd Street; Hector Martinez (Hispanic), 2361 Harrison Avenue; Lisa Mellet (Bi-racial), 1134 North 33rd Street; Philip Mills (Caucasian), 3636 Pierce Street; Salvador Morales (Hispanic), 835 North 33rd Street, Teresa and George Murray (Senior Citizen, Caucasian), 857 North 33rd Street; Luz Pacheco (Hispanic), 1050 West 34th Street; Wanda Quiles (Hispanic), 830 North 33rd Street; Luzi Reyes and Samuel Reyes (Hispanic), 1258 North 28th Street; Ana Rivera (Hispanic), 2747 Cleveland Avenue; Catherine Rivera (Caucasian), 1155 North 21st Street; Junel Rivera (Hispanic), 1244 North 25th Street; Lidia Rivera (Hispanic), 1164 Beideman Avenue; Ayda Rodriguez (Hispanic), 1149 Bainbridge Street; Carmen Santiago (Hispanic), 1160 North 35th Street; Jose Santiago (Hispanic, Senior Citizen), 2833 Lincoln Avenue; Samuel Santiago (Hispanic), 1150 North 33rd Street; Becolia Tarte (African American), 2853 Arthur Avenue; Jose Torres (Hispanic), 1166 North 33rd Street, all in the City of Camden, NJ.

13. The following individual Plaintiffs are also residents of Cramer Hill: Maria Acetty (Hispanic), 2830 Polk Avenue; Jose Gonzalez (Hispanic), 2718 Lincoln Avenue; Sandra Gonzalez (Hispanic), 2712 River Road, apt. 2; Nelida Martinez (Hispanic), 1183 North 35th Street; Vance McManany (Caucasian), 1180A Bergen Avenue; Wanda Nieves (Hispanic), 928 North 21st Street; Margarita Rivera (Hispanic, Senior Citizen), 1152 North 33rd Street; Sherman Robinson (African-American), 2830 Polk Avenue; Jesenia Roldan (Hispanic), 1242 North 25th Street; Luz M. Serrano (Hispanic), 1237 North 20th Street, all in the City of Camden, NJ.

14. The Ablett Village Resident Association is a duly constituted organization representing the residents of Ablett Village. All residents of Ablett Village are members of the Association.
15. These following individual Plaintiffs are residents of Ablett Village: Carmen Arce, 146 Ablett Village (Hispanic); Velletha Bailey (Hispanic) 196 Ablett Village; Carmen Barbosa (African-American) 172 Ablett Village; Bobbie Barr (African-American), 22 Ablett Village; Teresa Belcher (African-American) 242 Ablett Village; James Blue, 200 African American, Ablett Village; Elwood Brown (African-American) 9 Ablett Village; Donald Brown 9 (African-American) 159 Ablett Village; Carmen Cabon (Hispanic), 251 Ablett Village; Iris Capo (Hispanic) 136 Ablett Village; Shakia Carney (African-American) 290 Ablett Village; Constance Carsarphen (African-American), 113 Ablett Village; Kalisha Carter (African-American) 292 Ablett Village; Carmen Castro (Hispanic) 254 Ablett Village; Dolores Chapman (African-American) 232 Ablett Village; Ernestine Chase (African-American) 106 Ablett Village; Lydia Cintron (Hispanic) 150 Ablett Village; Maria Diaz (Hispanic) 198 Ablett Village; Carmen Flores (Hispanic) 270 Ablett Village; Latonya Ford (African-American) 123 Ablett Village; Babbette Gilbert (African-American), 194 Ablett Village; LaVern Gilchrist (African-American) 233 Ablett Village; Carmen Gonzalez (Hispanic) 145 Ablett Village; Aida Gonzalez (Hispanic) 193 Ablett Village; Karen Hairstone, 279 Ablett Village; Cheryl Hall, 81 Ablett Village; Howard Hall (African-American), 141 Ablett Village; Sandra Hilton (African-American) 128 Ablett Village; Edna Hinkle (African-American) 142 Ablett Village; Demitron Hunter (African-American) 87 Ablett Village; Dawn Jenkins (African-American) 79 Ablett Village; Terri Johnson (African-American), 238 Ablett Village; Alleeish Jones (African-American) 288 Ablett Village; Sharon Joyce (African-American) 286 Ablett Village; Veronica Lovett

(African-American) 57 Ablett Village; Elizabeth Malare (Caucasian) 157 Ablett Village;
 Eusenio Martinez (Hispanic) 212 Ablett Village; Virgilio Matias (Hispanic) 241 Ablett
 Village; Carmen Mendez (Hispanic) 197 Ablett Village; Ivelisse Mercado (Hispanic) 291
 Ablett Village; Monique Mitchell (African-American) 299 Ablett Village; Rose Mitchell,
 137 Ablett Village; Lakeisha Molock (African-American) 88 Ablett Village; Olga Morales
 (Hispanic) 219 Ablett Village, Sugeid Morales (Hispanic) 177 Ablett Village; Johanna
 Muniz (Hispanic) 243 Ablett Village; Katherine Muniz (Hispanic) 165 Ablett Village;
 Robert Muse (African-American), 29 Ablett Village; Yolanda Nash (African-American)
 127 Ablett Village; Belinda Norris (African-American) 284 Ablett Village; Ruth Oliveras
 (Hispanic) 135 Ablett Village; Yolanda Ortiz and Miguel Morales (Hispanic) 256 Ablett
 Village; Marisel Pabon (Hispanic) 195 Ablett Village; Linda Perry (African-American),
 411 Ablett Village; Phyllis Perry (African-American) 285 Ablett Village; Juanita Peters
 (Caucasian) 51 Ablett Village; Christine Peters (Caucasian) 76 Ablett Village; Deborah
 Phillips (African-American) 171 Ablett Village; Sharon Phillips (African-American) 211
 Ablett Village; Carmen Planteny (Hispanic) 278 Ablett Village; Elizabeth Ponce
 (Hispanic) 56 Ablett Village; Floyd Pope, 289 Ablett Village; Jose Quinones, 52 Hispanic,
 Ablett Village; Samuel Reyes (Hispanic) 107 Ablett Village; Angel Rosa (Hispanic) 156
 Ablett Village; Conrada Sanchez (Hispanic) 89 Ablett Village; Linnette Santiago
 (Hispanic) 300 Ablett Village; Teresa Santiago (Hispanic) 287 Ablett Village; Mary
 Simpson (Caucasian) 239 Ablett Village; Aricka Smith (African-American) 126 Ablett
 Village; Eligia Sosa (Hispanic) 253 Ablett Village; Nancy Surgick-Inge (African-
 American) 140 Ablett Village; Lisa Tatum (African-American) 134 Ablett Village; Luz
 Vasquez (Hispanic) 169 Ablett Village; Zulma Vasquez (Hispanic), 53 Ablett Village;

Maria Villanueva, Hispanic 176 Ablett Village; Ada Washington (African-American) 158 Ablett Village; Tony Whidbee (African-American) 55 Ablett Village; Tiffany Whitehead (African-American) 301 Ablett Village; Latisha Williams (African-American), 202 Ablett Village; Susie Williams (African-American), 223 Ablett Village; all in the City of Camden, NJ.

16. The Centennial Village Tenants' Action Council is a duly constituted organization representing the residents of Centennial Village. Membership is open to all residents of Centennial Village.

17. These following individual Plaintiffs are residents of Centennial Village are: Maria Abuerto (Hispanic) 504 Centennial Village; Madelaine Adderly (African-American), 1808 Centennial 11 Village; Laura Sharon Baker (African-American) 803 Centennial Village; Sara Baldwin, African-American, 2003 Centennial Village; Lisa Boswell, 2310 Centennial Village; Laura Brown (African-American) 305 Centennial Village; Nicole Burgos, 208 Centennial Village; Margit Burkhaltiz (Caucasian) 2207 Centennial Village; Mildred Caraballo, 606 Centennial Village; Cynthia Carter (African-American) 308 Centennial Village; Carmen Cintron (Hispanic) 1306 Centennial Village; Jeanne' Clark (African-American) 1709 Centennial Village; Marilyn Clark (African-American) 1801 Centennial Village; Gabriela Colon (Hispanic) 2008 Centennial Village; Danika Daniels (African-American), 1005 Centennial; Pheneshia Darby (African-American), 101 Centennial Village; Milagros Diaz (Hispanic), 601 Centennial Village; Kevin Dorman (African-American) 701 Centennial Village; Carmen Figueroa, 112 Centennial Village; Carmen Garcie Correa (Hispanic) 1004 Centennial Village; Elmer Hammond (African-American) 1703 Centennial Village; Irma Hernandez (Hispanic) 1108 Centennial Village; Angel

Isquierdo (Hispanic) 1408 Centennial Village; John Jackson (African-American) 125
 Centennial Village; Sheila Johnson (African-American) 306 Centennial Village; Delores
 Jones (African-American) 312 Centennial Village; Claribel Larios, 506 Centennial
 Village; Gertrude Lewis, 104 Centennial Village; Alberto Lopez (Hispanic), 502
 Centennial Village; Miriam Lopez (Hispanic), 801 Centennial Village; Norma Matos
 (Hispanic) 907 Centennial Village; Juanita McCoy, 107 Centennial Village; Aileen
 Medina (Hispanic) 2004 Centennial Village; Kylene Medina (Hispanic) 1003 Centennial
 Village; Sylvia Mercado (Hispanic) 2305 Centennial Village; Sara Mojica (Hispanic) 111
 Centennial Village; Delia Molina (Hispanic) 1012 Centennial Village; Luz Molina
 (Hispanic), 909 Centennial Village; Rosa Muller (Hispanic), 307 Centennial Village;
 Phoebe Munoz (Hispanic), 407 Centennial Village; Nilda Ortega (Hispanic), 1103
 Centennial Village; Lissette Paneto (Hispanic), 2007 Centennial Village; Felicia Parker
 (African-American) 910 Centennial Village; Josefa Pagon (Hispanic) 704 Centennial
 Village; Edwina Pennington (African-American) 1404 Centennial Village; Tiffany
 Pritchett (African-American) 1304 Centennial Village; Luz Ramos (Hispanic), 204
 Centennial Village; Luz Rentas (Hispanic) 608 Centennial Village; Tammy Robinson
 (African-American), 405 Centennial Village; Jenythe Ruberte, 1604 Centennial Village;
 Mary Ruis (Hispanic) 78 Centennial Village; Lucila Santiago (Hispanic) 101 Centennial
 Village; Leticia Santos (Hispanic) 1705 Centennial Village; Michelle Seddens (African-
 American) 1301 Centennial Village; Marisol Senquiz (Hispanic) 1001 Centennial Village;
 Chekeya Streater (African-American) 906 Centennial Village; Daysi Tarqini (Hispanic)
 508 Centennial Village; Betsy Toro (Hispanic), 805 Centennial Village; Genevieve Torres
 (Hispanic) 106 Centennial Village; Luz Torres, 1302 Centennial Village; Belinda

Vaneman (African-American) 401 Centennial Village; Betty Vazquez (Hispanic) 2004 Centennial Village; Julio Vasquez (Hispanic), 901 Centennial Village; Olga Vega (Hispanic) 1409 Centennial Village; Joanna Villegas (Hispanic) 1607 Centennial Village; Saka Watkins (African-American) 1702 Centennial Village; Evelyn Whetstone (African-American) 1507 Centennial Village; Connie Witcher (African-American) 605 Centennial Village; Lavenda Wynn (African-American) 908 Centennial Village; Patricia Wynn, 1506 Centennial Village; Donna Young (African-American) 505 Centennial Village; Maria Zapata (Hispanic), 201 Centennial Village; Awilda Zayas (Hispanic), 1106 Centennial Village; all in the City of Camden, NJ.

Defendants

18. Melvin R. "Randy" Primas is the Chief Operating Officer ("COO") of the City of Camden, pursuant to the "Municipal Rehabilitation and Economic Recovery Act" ("MRERA"), N.J.S.A. 52:27BBB-7(a), who oversees the State's efforts to economically revitalize and rehabilitate the City under the MRERA.
19. The City of Camden is a municipal corporation chartered under the laws of the State of New Jersey.
20. The City of Camden Planning Board is the municipal agency of the City of Camden charged with making land use and redevelopment recommendations to the governing body pursuant to the provisions of N.J.S.A. 40:55D-23 et seq.
21. Camden City Council is the governing body of the City of Camden and responsible for the passage of local ordinances and resolutions.
22. The Camden Redevelopment Agency is a body corporate and politic and an instrumentality of the City of Camden, created by Camden City Council in 1987 pursuant

to Ordinance No. MC-2322, as authorized by enabling legislation previously codified at N.J.S.A. 40:55C-1, et seq., and currently codified at N.J.S.A. 40A:12A-11. The Camden Redevelopment Agency has a Board of seven Commissioners. Pursuant to N.J.S.A. 40A:12A-8, the Camden Redevelopment Agency is authorized to implement redevelopment plans that Camden City Council has formally adopted in accordance with N.J.S.A. 40A:12A-7. COO Primas serves as Chair of the Board, and the Director of the Department of Development and Planning for the City of Camden simultaneously serves as Executive Director of the Agency.

23. The Economic Recovery Board for Camden (“ERB”) is a state agency created pursuant to the MRERA, N.J.S.A. 52:27BBB-36. It is a subsidiary corporation of the New Jersey Economic Development Authority. The ERB is charged with duties including preparation of a Capital Improvement and Infrastructure Master Plan and a Strategic Revitalization Plan, and review of development and redevelopment efforts, issuance of loans, grants or other equity investment pursuant to the MRERA, and any other state appropriation or allocation to the municipality.

24. The State of New Jersey is named herein due to the extensive authority granted to the State to direct the economic revitalization of the City of Camden pursuant to the MRERA, N.J.S.A. 52:27BBB-1 et seq. through the actions of the COO and the ERB.

FACTUAL ALLEGATIONS

A. The State Takeover of Camden

25. In or about July 2002, the City of Camden became subject to the provisions of the MRERA, pursuant to the certification of the New Jersey Commissioner of Community Affairs that Camden was a “qualified municipality” within the meaning of the Act.
26. To enforce and effectuate the MRERA, the legislature created the position of Chief Operating Officer (COO) of the City of Camden. N.J.S.A. 52:27BBB-7(a).
27. The COO is a state actor. He is answerable only to the state and is granted, and exercises, powers only exercisable by a state officer. The COO is appointed by and serves at the pleasure of the governor and his salary and benefits and those of certain of his staff are set and paid by the state of New Jersey. MRERA, N.J.S.A 52:27BBB
28. The COO also acts in the capacity of a municipal official to the extent that he is authorized to oversee municipal functions and operations within the City of Camden.
29. Pursuant to the MRERA, the State has granted the COO broad and sweeping powers over the operations of the City of Camden that include, inter alia:
 - a. To assume all the functions, powers and duties heretofore or hereafter assigned by any statute, regulation, ordinance, resolution, charter or contract for municipal operations, municipal organization and reorganization, development and implementation of workforce training programs, and the hiring and firing of department heads, managers and supervisory employees, pursuant to N.J.S.A. 52:27BBB-9(a);
 - b. To perform all acts and do all things consistent with law necessary for the proper conduct, maintenance, rehabilitation and supervision of the qualified municipality, including but not limited to the power to propose ordinances, resolutions, rules, policies and guidelines, not inconsistent with law, for the proper conduct,

maintenance and supervision of the municipality, pursuant to N.J.S.A. 52:27BBB-9(b);

c. To submit to a special arbitrator disputes concerning the failure of the Mayor or Camden City Council to act upon or approve such ordinances, pursuant to N.J.S.A. 52:27BBB-5 and -9(b);

d. To assume those powers allocated to the mayor which are found in the charter and administrative code of the municipality, Titles 40 and 40A generally and specifically in the "Local Bond Law," N.J.S.A. 40A:2-1 et seq., the "Local Budget Law," N.J.S.A. 40A:4-1 et seq., the "Local Fiscal Affairs Law," N.J.S.A. 40A:5-1 et seq., the "Local Public Contracts Law," N.J.S.A. 40A:11-1 et seq., any specific form of government law according to which the municipality is governed, and such other sections or other laws necessary to the governance and administration of a municipality, the control of litigation, and the determination of service levels as provided in this section, pursuant to N.J.S.A. 52:27BBB-9(e);

e. To veto the actions of any independent board or authority, including, but not limited to, the Camden Housing Authority, City of Camden Redevelopment Agency, and the City of Camden Planning Board, pursuant to N.J.S.A. 52:27BBB-9(f) and 21(b); and

f. To veto an ordinance or resolution of the Camden City Council and submit any impasse between the COO and Council to a special arbitrator, pursuant to N.J.S.A. 52:27BBB-9(b) and -23(a).

30. Pursuant to the MRERA, N.J.S.A. 52:27BBB-5, the assignment judge of Camden County has been designated to serve as special arbitrator. The special arbitrator assists in

implementation of the MRERA and in the exercise of the COO's authority over municipal government by resolving any impasse brought before him by the COO resulting from any action or any failure to act on the part of the mayor, the governing body, or any other officer or appointee of the municipality, including disputes with governing body regarding enactment of ordinances, appointment of department heads, approval of the municipal management study, and adoption of the municipal budget. The arbitrator is mandated to consider certain statutory criteria in the resolution of such disputes, including whether the action or failure to act would be adverse to the rehabilitation or economic recovery of the municipality, would represent an unsound decision, would violate fiduciary responsibility or prudent standards or practices, or would impede effective delivery of municipal services.

31. The special arbitrator does not act in a judicial capacity, but executes an executive branch function as created and defined by the implementing legislation. The standards of review imposed by N.J.S.A. 52:27BBB-5 dramatically exceed and expand beyond the function of a judge, which are limited to determination of fact, determination of applicable law and the application of the latter to the former. The arbitrator is specifically mandated to make policy decisions and to exercise broad discretion to determine whether an action or failure to act would be adverse to the achievement of the goal of fostering the municipality's redevelopment and rehabilitation, but which are not further circumscribed by controlling legislation or judicial precedents.
32. On or about August 13, 2002, the Governor of New Jersey appointed Melvin R. "Randy" Primas as the COO.

33. As COO, Primas is directly involved in all aspects of municipal operations. He personally performs a broad range of executive functions and has hired, transferred, and reassigned high-level administrative staff. In addition, he is engaged in municipal legislative functions and is consulted regarding all proposed council resolutions and ordinances. He has also assumed the role of chair of the Camden Redevelopment Agency.
34. Pursuant to the MRERA, N.J.S.A. 52:27BBB-36, the state also created the State Economic Recovery Board for Camden (“ERB”) as a subsidiary corporation to the New Jersey Economic Development Authority. The MRERA requires that the ERB consist of 15 members, including the COO, the State Treasurer, the state Commissioner of Community Affairs, the chairperson of the state Economic Development Authority, a representative of the Regional Impact Council (RIC), and several public members appointed by the Governor.
35. The Camden ERB was formed pursuant to the MRERA and convened its first meeting on October 25, 2002.
36. The MRERA, N.J.S.A. 52:27BBB-39 through -40, and N.J.S.A. 52:27BBB-30, further mandates the creation of a Regional Impact Council and a Community Advisory Committee (CAC).
37. Neither the City of Camden nor the Camden Redevelopment Agency (CRA) complied with the MRERA with respect to review and participation of the CAC, ERB, RIC or SRP.

B. The Cramer Hill Neighborhood

38. Cramer Hill is a neighborhood in the City of Camden, County of Camden and State of New Jersey, located approximately one mile northeast of the downtown area of the City of

Camden. Cramer Hill is cohesive and stable, having experienced no population loss between 1990 and 2000, according to Census Bureau reports.

39. Cramer Hill is approximately 1.8 miles long and approximately 0.8 miles wide, running from the Cooper River on the southwest, northeast along the Back Channel of the Delaware River, north to the boundary of the City of Camden and the Township of Pennsauken, and southeast to a rail yard. Cramer Hill encompasses over one hundred sixty-two (162) city blocks containing nearly four thousand (4000) properties.
40. The buildings are variously constructed of wood, brick and stone. The residential area contains modest, mostly single and semi-detached family homes. They are primarily of nineteenth century construction with many fine period structures which continue to be solid, comfortable urban dwellings. Many homes are well-maintained and have attractively landscaped yards and gardens.
41. Cramer Hill is the only neighborhood in Camden City with primarily R1-A low-density zoning, the most restrictive type of zoning provided for in Camden's zoning code. The zoning designation requires large residential lots of 3000 square feet, with 15 foot yard setbacks, structures no higher than two stories, and a maximum density of 14.5 homes per acre, giving the community an almost suburban character.
42. Cramer Hill contains one hundred twenty-two (122) storefront and other businesses. There is a thriving aggregation of family owned businesses primarily clustered along River Avenue, but also spread throughout the neighborhood. The majority of these business owners and operators are Latino and African-American. There are also a number of light industrial and some heavy industrial uses, including a demolition and salvage operation and a dredging operation, all primarily located along the Back Channel, between the

residential community and the Channel. There are also industrial uses associated with the rail yard.

43. Cramer Hill is home to several large urban parks and playgrounds, ball fields and a swimming pool, as well as public and parochial schools and numerous houses of worship of many faiths.
44. The Harrison Avenue landfill, currently designated as a “brownfield”, covers eighty-nine (89) acres in the western corner, at the confluence of the Cooper River and the Back Channel of the Delaware River.
45. Two rental housing developments, Ablett Village and Centennial Village, are located in the extreme southwest of the neighborhood, closest to the center of Camden and adjacent to the Cooper River.
46. Ablett Village is a public housing development of three hundred six (306) townhouses owned and operated by the Housing Authority of the City of Camden (HACC). Between 2000 and 2002 the HACC spent a substantial amount of funding revitalizing both the interior of the Ablett Village homes as well as landscaping and street design.
47. Centennial Village is a federally-subsidized townhouse community of two hundred (200) apartments, privately owned by State Street 86 Associates L.P. and managed by Altman Management Company, Inc. of Glenside, Pennsylvania. As in public housing, families pay about 30 percent of their income toward rent, and HUD pays the owner the rest of the contracted market rent. In or about 1986, the owner obtained a 25-year HUD-insured mortgage under Section 221(d)(4) of the National Housing Act, 12 U.S.C. § 1715(d)(4), to renovate the property. Contemporaneously, the owner executed a Housing Assistance Payments Contract and Regulatory Agreement with HUD binding it and its successors to

maintain the property as federally-subsidized housing under Section 8 of the United States Housing Act, 42 U.S.C. § 1437f, for the period of the mortgage, which runs until the year 2013.

48. Altman has maintained the property in good condition. Centennial Village recently received a score of 92 out of 100 on HUD's Real Estate Assessment Center evaluation of Centennial's physical conditions conducted pursuant to 24 CFR §200 Part P.
49. Before June 28, 2004, no one from the City of Camden had contacted the owner or HUD about the Cramer Hill Redevelopment Plan.
50. The Centennial Village and Ablett Village communities are stable and have active resident organizations. The buildings are in good condition.

C. The Cramer Hill Residents

51. The Cramer Hill neighborhood is a racially and ethnically diverse, low to moderate income community that is home to approximately 10,000 people.
52. The Cramer Hill neighborhood's population is predominately African-American and Hispanic/Latino. Of the 10,035 residents of Cramer Hill, approximately 65% are Hispanic or Latino of any race, and 27% are African-American .
53. In contrast, of the 508,932 residents of the County of Camden, approximately 9.7% are Hispanic or Latino of any race, and 18% are African-American.
54. Of the 8,638,396 residents of the State of New Jersey, approximately 13.3% are Hispanic or Latino of any race, and 13.6% are African-American.
55. The percentage of Cramer Hill residents which is Hispanic or Latino of any race is 6.7 times that of Camden County and 5 times that of the State of New Jersey.

56. The percentage of Cramer Hill residents which is African-American is 1.5 times that of Camden County and twice that of the State of New Jersey.
57. Ablett Village and Centennial Village, which together comprise 506 of the 1200 homes scheduled for acquisition and demolition, are also predominantly Hispanic and African-American.
58. The forced removal of these families from their homes in Cramer Hill would have an adverse disparate impact on Hispanic and African-American residents.
59. The median household income in Cramer Hill is only \$25,450, considerably lower than the median income for Camden County of \$48,097, and the median income for the State of New Jersey of \$55,146.
60. The per-capita income in Cramer Hill is \$9,087, compared to \$22,354 for Camden County and \$27,006 for the State of New Jersey.
61. Thirty-six percent (36%) of the residents of Cramer Hill have income below the poverty level, while that number is only ten percent (10%) for Camden County and eight and one-half percent (8.5%) for the State of New Jersey.
62. Despite the lower incomes of Cramer Hill households, just over fifty percent (50%) of all Cramer Hill residents own their own homes. Among Hispanic residents in Cramer Hill, the homeownership rate is also fifty percent (50%) and among African-American, it is forty percent (40%).
63. The vacancy rate for rental units in Cramer Hill is only two and one half percent (2.5%).
64. The median value of owner occupied homes in Cramer Hill is \$43,379, compared to \$110,200 in Camden County and \$167,900 in the state of New Jersey as a whole.

65. The median cost of homeownership for owner-occupied homes with mortgages in Cramer Hill is only \$703 a month, compared to \$1252 for the County and \$1560 for the State of New Jersey.
66. Many longtime homeowners of Cramer Hill, particularly senior citizens, have paid off their mortgages and can afford to keep their homes, although they would not be able to purchase much higher-priced homes in the current real estate market on their present incomes.

D. The Cramer Hill Redevelopment Designation and Plan

67. On June 12, 2003, City Council passed Resolution MC-03-326 (Resolution 326) requesting that the Planning Board of the City of Camden conduct a Determination of Need Study for the Cramer Hill Neighborhood identified as being comprised of Census Tracts 6009 and 6010, for the purpose of creating a redevelopment plan. Resolution 326 provided that the COO would have ten days from receipt to veto or approve this resolution. Primas did not file a notice of veto of Resolution 326.
68. On June 15, 2003, the CRA, with COO Primas serving as Board Chair, issued a Request for Qualifications and Proposals for the redevelopment of Cramer Hill.
69. In August, 2003 the City engaged Hillier, a planning firm, to investigate whether the Cramer Hill neighborhood met the criteria of an “area in need of redevelopment” within the meaning of N.J.S.A. 40A:12A-1 et seq. and to prepare a study and redevelopment plan.
70. Cherokee Investment Partners is a for-profit company based in Raleigh, NC which is involved in site remediation and real estate development. Cherokee Investment Partners created an entity known as Cherokee Camden, L.L.C. (“Cherokee”) to conduct development in Camden City.

71. On September 30, 2003, Cherokee submitted to the CRA their Cramer Hill Redevelopment Project: Proposal and Statement of Qualifications (“Cherokee Proposal”).
72. The Cherokee Proposal called for investment of over \$1 billion to produce 5,000 new homes, more than 500,000 square feet of new retail space, an 18-hole public golf course, a new marina, numerous public buildings, recreational and waterfront uses and a network of parks and trails in Cramer Hill.
73. The Cherokee Proposal did not specify the exact number of properties which would need to be acquired or the number of residents who would be displaced through the implementation of this project, but made evident that Ablett Village, Centennial Village, and many occupied houses in certain sections of the neighborhood would be replaced by new commercial and residential development, including the construction of the golf course and new, high-density residential structures.
74. The Cherokee Proposal stated that \$915 million of the \$1.1 billion needed for this redevelopment would come from private sources, including Cherokee and its partners, and \$135 million would be publicly funded.
75. On December 17, 2003, the CRA designated Cherokee as the conditional developer for its Cramer Hill redevelopment initiative and accepted payment from Cherokee for costs associated with evaluation of the Cherokee proposal, preparation of a redevelopment plan, and negotiation of a redevelopment agreement.
76. At the time that the CRA selected Cherokee as redeveloper, the Camden City Council (Council) had not adopted any redevelopment plan for Cramer Hill in accordance with N.J.S.A. 40A:12A-7, nor had it authorized the CRA to conduct any redevelopment activities in Cramer Hill.

77. As Chair of the Board of the CRA, COO Primas was directly involved in the approval of the Cherokee Proposal. COO Primas also did not veto the CRA's adoption of the Cherokee Proposal pursuant to N.J.S.A. 52:27BBB-9(f) and -21 of the MRERA.
78. On December 19, 2003, Gov. James E. McGreevey issued a press release announcing that Cherokee had been designated as the redeveloper for the \$1.2 billion Cramer Hill project.
79. On January 13, 2004, the Camden Planning Board approved the Cramer Hill Tomorrow Neighborhood Plan ("Neighborhood Plan"), a plan which had been developed by community organizations working with the City. The Neighborhood Plan called for construction and rehabilitation of 369 homes, conversion of certain industrial areas into commercial use, expansion of parks and creation of new open space, improving the commercial corridors, and other community improvements.
80. Beginning in January, 2004, and continuing to the present, City and State defendants, and Cherokee engaged in an active and aggressive campaign, including public meetings, public statements, written publications, and use of the media to promote first the Cherokee Proposal, and thereafter, the Plan, making it more difficult for residents to offer input and voice opposition to the redevelopment designation and to the adoption of the Cherokee Proposal and the Plan.
81. During this campaign, City and CRA officials and COO Primas made statements which made clear that Cherokee was the selected developer and that the City intended to adopt a redevelopment plan consistent with the Cherokee Proposal.
82. During this campaign the City and CRA officials and COO Primas made misleading statements to the public regarding the meaning and legal effects of the redevelopment designation and the contents of the Plan including, but were not limited to, representations

regarding relocation of residents, replacement of the housing units and assurances that new units affordable to current residents would be built before any existing units were acquired and demolished. On March 30, 2004, the City presented a draft of the Cramer Hill Study Area Redevelopment Plan (“Draft Redevelopment Plan”) for review by the task force. That Plan was substantially similar to the Cherokee Plan and expressly mentioned Cherokee as a source of funding for the project.

83. On April 19, 2004, the City published the “Cramer Hill Study Area Determination of Needs Study” (“Study”), which was written by Hillier under the direction of the Camden Department of Development and Planning.
84. The Study stated that there is a total of 3, 816 properties in Cramer Hill, almost 70% of which are residential.
85. The Study stated that 84% of the residential structures are in good or fair condition.
86. The Study ranked buildings as in good, fair or poor condition but did not indicate what score was used to rank any building. The Study acknowledged its conclusions regarding property conditions are “superficial,” “subjective” and “mutable.”
87. According to the Study, there are 2,823 buildings or improved lots, of which only 158, or 5.6%, are vacant.
88. The Study determined that there is a total of 101 commercial or mixed-use properties and 37 industrial use properties. There are only 6 non-residential vacant buildings in the entire neighborhood. In addition, there are 701 vacant lots, which are located primarily along the Delaware River. According to the Study, the overall vacancy for all properties in Cramer Hill is 24%.

89. The Study identified the owners of all properties in the neighborhood. It stated that 85% of the properties are privately owned and 43% of those are owner-occupied. Approximately 11% of the properties are owned by a government entity. The Study separately identified the owners of all parcels which were determined or suspected to be environmentally contaminated. The Study did not provide any information regarding title conditions or mention conditions of diverse ownership of underutilized properties.
90. The Study did not consider the economic activity in the community, the presence of strong community institutions, its cultural vitality or stability, or the potential existence of sites of historic significance.
91. The Study was not developed by trained professionals, is superficial, and its conclusions are unsupported by the facts presented.
92. The Study does not support its finding that Cramer Hill meets criteria (b), (e) or any other criteria set forth in the LRHL, N.J.S.A. 40A:12A-5.
93. On April 19, 2004 the City also published the Cramer Hill Study Area Redevelopment Plan (“Redevelopment Plan” or “Plan”).
94. The Redevelopment Plan called for major changes to the Cramer Hill neighborhood, including the following:
- a. Certain acquisition of over 1,400 properties, including all of Ablett Village and Centennial Village, and relocation of 1,000 households;
 - b. Possible acquisition of another 142 properties and relocation of an additional 200 households;
 - c. Construction of a substantial but unspecified number of new and rehabilitated housing units, both market-rate and affordable;

- d. Complete rezoning of the neighborhood, including creation of new zoning designations and eliminating the R 1-A low density residential zone, thereby allowing for a dramatic increase of allowable density from 14.5 to 100 housing units per acre;
 - e. Creation of new major retail centers and industrial parks;
 - f. Developing a new access road into the community and new mass transit facilities;
 - g. Acquisition of up to 40 businesses; and
 - h. Remediation of brownfields and creation of mixed-use waterfront development zones.
95. The Plan estimated the total cost for the project to be \$1.298 billion. It did not specify how much of that funding would be from public versus private sources.
96. The Plan stated that there are no commitments of funding for this project, and listed several local, state, and federal funding sources as being potentially available, including the ERB Residential Neighborhood Improvement Fund. It did not include sources of funding that are specifically targeted to meet the needs of low and very low-income households, such as residents of public housing and Section 8 program participants.
97. With respect to relocation, the Plan stated that comparable replacements would be provided from the existing Camden area housing market for temporary and permanent relocation of residents, including up to 1,200 replacement units to be built in the redevelopment area. It did not provide any analysis of existing housing market conditions in the neighborhood or in the region.
98. The Plan did not provide that any replacement public housing or Section 8 units would be built, that any replacement units would be constructed before residential properties are acquired, that residents would be given first priority for housing units, or that there would be an adequate number of replacement units which would be realistically, economically

affordable and available to any of the persons or families, including Plaintiffs, dislocated by the implementation of the Plan.

99. The Plan was not as detailed as the Cherokee Proposal or the Draft Redevelopment Plan, but it was fully consistent with these two earlier plans.

100. The City did not make copies of the Study and Plan available for purchase by the public until May 10, 2004, one day before the scheduled Planning Board public hearing of May 11, 2004, impeding the ability of concerned persons to review and offer meaningful testimony and written comments regarding the Study and Plan.

101. On May 11, 2004, at a regularly scheduled meeting, the Camden Planning Board held a public hearing regarding the designation of Cramer Hill as an area in need of redevelopment (designation) and on the proposed Plan.

102. The hearing was held at City Council chambers, which has a seating capacity of approximately 140 persons, despite requests by community representatives that the meeting be held at a location which could accommodate a larger audience.

103. Over 800 persons appeared to voice their objections to the designation and/or the Plan. Because of limited capacity of Council chambers, approximately 700 persons were locked out of City Hall and had to wait for several hours in order to be heard.

104. The hearing lasted for four hours. Representatives from Hillier and City officials gave presentations of the Study and the Redevelopment Plan.

105. At the hearing, 44 persons, primarily Cramer Hill residents, testified in opposition to the designation and the proposed plans for redevelopment. All speakers were limited to two minutes of testimony.

106. The residents refuted the Study's findings that the neighborhood was deteriorated and blighted.
107. The residents' primary objection to the Plan was to the proposed forced displacement of 1,200 households. Residents expressed their concerns about losing their housing and their family and community ties. Some residents, including some elderly homeowners, have paid off their mortgages, and are afraid that if they lose their homes they will never be able to purchase another one. Many residents spoke of the hardship that would result from relocating, and the difficulty in securing adequate replacement housing.
108. Residents objected to the proposed changes in land use, the proposed development of a golf course and the threat to the survival of local small businesses.
109. Speakers objected to the City's failure to involve the public in the redevelopment process, including the manner in which the public hearing was conducted.
110. On May 11, 2004, Plaintiffs submitted to the Planning Board detailed written objections to the designation and to the Plan, including:
- a. The comment period should be extended;
 - b. The designation of Cramer Hill as a blighted redevelopment area is not supported by the findings of the Study, is not based upon solid evidence, does not meet the criteria set forth in the LRHL, N.J.S.A. 40A:12A-5, and is excessive and unnecessary;
 - c. The Plan does not provide adequately for relocation of displaced residents as required by N.J.S.A. 40A:12A-7(a)(3);
 - d. The Plan would result in the loss of valuable affordable housing units and the forced displacement of many residents, causing severe hardship;

- e. The Plan proposes drastic changes to the social and economic fabric of the neighborhood, including a significant increase in population and undesirable land uses, and is not feasible;
- f. The designation and Plan are contrary to the general welfare and to the interests of both Cramer Hill and Camden City residents, in violation of the New Jersey State Constitution, Article I, Paragraph 1 and the LRHL, N.J.S.A. 40A:12A-2.

111. Because of the overwhelming public response, a second public hearing, was held on May 18, 2004.

112. The May 18, 2004 hearing was attended by over 600 people, filling the auditorium to capacity. Many people were turned away by police and fire personnel.

113. The hearing lasted for five and one-half hours. Each speaker at the hearing was told that they were limited to three (3) minutes for comments and questions.

114. Forty-nine speakers, including numerous Plaintiffs, as individuals and as organizational representatives, presented oral and written testimony.

115. The residents expressed numerous objections to the designation and to the Plan. The primary concerns were the inaccuracy of the Study, the expansive use of eminent domain, the hardship that would result from forced relocation, and the failure of the Plan to address the needs of residents.

116. At the May 18, 2004 meeting, without a review of the transcript and without reading and considering the written comments from concerned parties, the Camden Planning Board adopted a resolution recommending that City Council designate the Cramer Hill neighborhood as a “redevelopment area” pursuant to criteria (b), (e), and (g) of N.J.S.A.

40A:12A-5, and referring the finding and the Study to the City Council for consideration Planning Board (Resolution I).

117. On May 18, 2004 the Planning Board also adopted a resolution approving the Plan with six specific recommendations: that the relocation portion of the City's presentation at the hearing be included with the Plan documents, that determination of fair market value take into consideration prices outside of Cramer Hill, that relocation of residents be conducted when units are available, with residents receiving first priority, that existing businesses be incorporated into the project, and that a recreational use other than a golf course be found. (Resolution II).

118. Planning Board Resolutions I and II stated that COO Primas had reviewed the Resolution and had waived his rights to veto it. Primas did not veto Planning Board Resolutions I or II pursuant to N.J.S.A. 52:27BBB-23(a) of the MRERA.

119. On June 15, 2004, at a regular meeting, City Council passed a resolution accepting the factual findings of the Study, accepting the Planning Board's resolution I, and formally designating the Cramer Hill neighborhood as an area in need of redevelopment under N.J.S.A. 40A:12A-1 et seq.

120. On June 15, 2004, City Council also introduced for first reading Ordinance No. MC 3967, adopting the Plan. Numerous persons raised the same objections to the Council that they had raised before the Planning Board.

121. On June 30, 2004, City Council held a public hearing on the Plan. Public comments were limited to two (2) minutes per speaker.

122. On June 30, 2004, Plaintiffs submitted to the Council written objections to the Plan, summarizing and incorporating the written objections submitted by the Plaintiffs on May 11, 2004, May 18, 2004, and June 15, 2004 hearings.
123. At the conclusion of the June 30, 2004, meeting, without a review of the transcript and without reading and considering all of the written comments from concerned parties, the City Council passed Ordinance No. MC 3967, adopting the Plan.
124. During the meetings and votes which occurred on June 15, 2004 and June 30, 2004, and continuing at all times up to the present, Council members Angel Fuentes, Israel Nieves, and Dana Redd had personal, fiduciary and/or financial conflict of interest, regarding Cramer Hill which were not formally disclosed.
125. City Council did not discuss or explain why it did not incorporate the Planning Board recommendations at either the June 15, 2004 or the June 30, 2004 meeting.
126. Primas did not veto or otherwise challenge, pursuant to N.J.S.A. 52:27BBB-23(a) of the MRERA, Council's adoption of the designation or the Plan.
127. On August 13, 2004, the CRA formally redesignated Cherokee as the developer for the project. The Resolution of the Agency states that Cherokee will pay the costs and fees associated with the exercise of eminent domain to implement the project.

E. The Cramer Hill Implementation "Strategy"

128. In October, 2004 the CRA published a "Cramer Hill Community Revitalization Plan: A Housing Production and Implementation Strategy" ("Strategy").
129. The Strategy's stated purpose is to describe who will be displaced, what options will be given to relocating households, what type of replacement housing will be created, where

these replacement units will be developed, and how and when the housing production plan will be implemented.

130. The Strategy further expressly states that it is based upon the Plan for Cramer Hill adopted on June 30, 2004, and contains numerous other references to the Plan.

131. The Strategy designates thirteen “relocation areas” in which the City plans to acquire properties through eminent domain, and states that these areas comprise properties identified as “to be acquired” or “may be acquired” in the Plan.

132. The Strategy contains various assurances that displaced households will be provided replacement units that are affordable to them without increasing the amount of their mortgages or incurring any additional financial obligations.

133. The Strategy does not justify or support the Plan’s financial feasibility:

- a. No funding has been committed to any of the projects, as admitted by the COO in statements to the media;
- b. The listed public sources of funding are limited and are subject to competitive bidding;
- c. Some public funding sources for replacement affordable housing are subject to severe budget cuts at both the federal and state level;
- d. There are major gaps in the funding projections set forth in the Strategy, and no information on what funding could be used to meet those gaps;
- e. The population eligible for the affordable housing programs listed in the Strategy is a much higher income population than the current residents of Cramer Hill, so that housing may not be affordable to displaced residents;

f. There are other housing projects in Camden City which are already utilizing some of these funding sources;

g. The City is in the process of designating every area of the City as blighted and adopting redevelopment plans for other neighborhoods which also call for extensive forcible acquisition of homes and forcible displacement of residents; these plans propose using many of the same limited funding sources.

F. Council's Attempted Readoption of the Redevelopment Designation and Plan

134. On February 2, 2005, Plaintiffs learned from counsel for defendant Planning Board that City Council had called a Special Meeting for February 3, 2005 to readopt the Resolution determining Cramer Hill to be an area in need of redevelopment and to introduce an ordinance attempting to readopt the Plan (“Readoption Ordinance”).

135. Defendants did not provide 48 hours advance notice, as required by the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-8 and 10:4-9.

136. Neither the Resolution nor the Readoption Ordinance were made available to the public until the City Clerk handed the documents to counsel during the public comment session.

137. The Plan to be readopted was the same plan that City Council had attempted to adopt on June 30, 2004. The Readoption Ordinance was substantially similar to the original ordinance adopting the Plan, except that: 1) It stated the reason for readoption, which was that litigation had been instituted alleging defects in the process of designating the redevelopment area and adopting the Plan, and Council deemed it in the best interests to reapprove the Study and readopt the Plan; and 2) It set forth the six recommendations

contained in Planning Board Resolution II and the purported basis for Council's rejection of the recommendations.

138. Council Vice President Redd chaired the Special City Council Meeting on February 3, 2005. Council President Fuentes and Councilmember Nieves were present during the public comment portion of the hearing on the Resolution.

139. Numerous persons raised the same objections they had raised at the Planning Board.

140. At that Special Meeting, City Council passed the Resolution Redetermining Cramer Hill to be an area in need of redevelopment. City Council also passed on first reading the Readoption Ordinance.

141. Council President Fuentes and Councilmember Nieves did not participate in these two votes. Council Vice President Redd did vote on both actions.

142. On Wednesday, February 16, 2005, at 12 noon, City Council held a Special Meeting for a second reading and public hearing on the Readoption Ordinance. Public comments were limited to three (3) minutes per speaker.

143. Plaintiffs submitted to the Council written objections to the Plan summarizing and incorporating the objections they submitted on May 11, May 18, June 15, and June 30, 2004. Experts for plaintiffs and other parties also testified in opposition.

144. Before Council voted on the proposed Readoption Ordinance, Council Vice President Redd read the text of that Ordinance purportedly justifying the Council's failure to include any of the six recommendations made by the Planning Board at its May 18, 2004 meeting. The recommendations were not discussed on the record.

145. The grounds set forth in the Readoption Ordinance for rejecting the Planning Board's recommendations are without merit, and Council failed to properly consider and address the recommendations.
146. At the Special City Council Meeting on February 16, 2005, Council passed the Readoption Ordinance. Council Vice President Redd took part in the vote.
147. Council President Fuentes, Councilmember Nieves, and Council Vice President Redd did not disclose, during the Special City Council Meetings of February 3, 2005 and February 16, 2005, any potential or actual conflict of interest.
148. COO Primas did not veto or challenge the Council's redesignation of the area or readoption of the Plan pursuant to N.J.S.A. 52:27BBB-23(a) of the MRERA.

G. The "Acquisition" Ordinance and Other Actions to Implement the Plan

149. On January 27, 2005, City Council introduced and passed on first reading Ordinance C-9643. The Ordinance is entitled Ordinance Authorizing the Acquisition of Certain Parcels of Land in the City of Camden by Eminent Domain for the Purpose of Construction or Rehabilitation of Low and Moderate Income Housing in the Cramer Hill Section of the City of Camden ("Acquisition Ordinance C-9643" or "C-9643").
150. Exhibit "A" to the ordinance lists 72 properties, including 43 occupied residences, to be acquired by eminent domain. The properties are grouped together in four discrete areas, identified in the Exhibit as Project Areas "E", "F", "L", and "M".
151. All of the properties listed in Exhibit A to C-9643 are included in the Plan's property acquisition list as "to be acquired" or that "may be acquired".

152. The properties to be acquired pursuant to Acquisition Ordinance C-9643 precisely corresponds to Relocation Areas “E”, “F”, “L”, and “M” and to the Housing Production sites proposed for large rental unit development in the Strategy.
153. In adopting Acquisition Ordinance C-9643, City Council based its eminent domain authority on N.J.S.A. 52:27D-325 of the New Jersey Fair Housing Act (NJFHA) rather than on the powers granted by LRHL, 40A:12A-1, et seq. in an attempt to circumvent the LRHL’s requirements for implementing the Plan.
154. City officials have stated that the acquired land would be used to construct 162 rental units, to replace the 306 units at Ablett Village which the City intends to demolish.
155. The City of Camden has never filed a housing element and a fair share housing plan with the Council on Affordable Housing (COAH) in accordance with N.J.S.A. 52:27D-309 to - 311 of the NJFHA.
156. The City of Camden has never petitioned the COAH for substantive certification, nor instituted any declaratory judgment for repose in Superior Court, in accordance with N.J.S.A. 52:27D-313 & -313.1 of the NJFHA
157. The COAH has never granted the City substantive certification and approval of a fair share housing plan in accordance with N.J.S.A. 52:27D-314 of the NJFHA.
158. The COAH has never approved, as part of any petition for substantive certification submitted by the City, the demolition of any residence under N.J.S.A. 52:27D-313.1 of the NJFHA.
159. City Council has never adopted a fair share housing ordinance in accordance with N.J.S.A. 52:27D-314 of the NJFHA

160. The implementation of Acquisition Ordinance 9643 would effectuate the Plan.
161. On February 10, 2005, Acquisition Ordinance 9643 was scheduled for second reading and public hearing.
162. Plaintiffs, through counsel, submitted written comments and offered testimony objecting to Acquisition Ordinance 9643. These objections included the following:
- a. The forcible taking of homes by eminent domain is unjustified and would result in great harm to the residents;
 - b. No valid adoption of the Plan had occurred.
 - c. Condemnation of homes and demolition of Ablett Village was unjustified.
 - d. The prerequisite WRAP had not been approved by the New Jersey Department of Community Affairs.
 - e. Cramer Hill residents support neighborhood improvement and revitalization, but oppose having homes forcibly taken from residents.
163. Many other persons, including residents of Cramer Hill and other City residents, testified in opposition to Acquisition Ordinance 9643.
164. Council tabled the ordinance on February 10, 2005.
165. Plaintiffs submitted supplemental written objections to Acquisition Ordinance 9643 on February 15, 2005. These objections included:
- a. The acquisition of these homes is not authorized by the NJFHA, N.J.S.A. 52:27D-325, as the actions of the City are not being taken to implement a fair share housing plan or to satisfy an unmet fair share housing obligation pursuant to the

Act, and the City is therefore violating the purpose and spirit of the Act by using it to justify unwarranted destruction of affordable housing units and forced displacement of residents;

- b. The forcible taking of these homes is not justified by a need to replace Ablett Village nor necessary to provide affordable housing.

166. On February 24, 2005, Council did not allow any public comment on Acquisition Ordinance 9643 and voted to adopt the ordinance at that meeting.

167. Council President Fuentes and Councilmember Nieves voted on Ordinance 9643.

168. Individual named plaintiffs Maria Calaf, Felipe and Nilda Diaz, Magda Jusino, Carmen and Marcos Lopez, Salvador Morales, Teresa and George Murray, Darlene Figueroa and Wanda Quiles, are among the property owners whose properties are to be acquired pursuant to Acquisition Ordinance C-9643.

169. The Camden Redevelopment Agency has contacted the occupants and/or owners of the 72 properties, stating the intent to acquire the properties and demanding that they schedule appointments with appraisers to determine fair market value.

170. The owners and occupants of these properties have experienced severe stress and anxiety regarding the possible loss of their homes and forcible relocation.

171. Council has taken additional illegal and improper actions in furtherance of the Plan:

- a. On or about October 28, 2004 Council adopted on second reading an ordinance entitled “Ordinance Authorizing the Transfer of 38 City Owned Properties to the Camden Redevelopment Agency”, transferring ownership of 38 properties in Cramer Hill to the Agency.

- b. On or about December 23, 2004 Council adopted on second reading an ordinance entitled “Ordinance Authorizing the Transfer of 355 City Owned Properties to the Camden Redevelopment Agency”, transferring ownership of 355 properties in Cramer Hill to the Agency.
- c. On February 3, 2005, Council adopted a resolution awarding a contract for professional services to the law firm of Zeller Bryant, LLP as special counsel for the purpose of acquiring 140 properties for use in the Crammer Hill Affordable Housing Project by eminent domain.
- d. On February 24, Council passed at first reading, two ordinances authorizing a tax exemption and service fee in lieu of taxes and the execution of a financial agreement between the City and River Hayes Urban Renewal Associates II, L.P. for River Road Development Sites E and F, which are sections of Cramer Hill which are proposed for taking by eminent domain under the Plan.
- e. On February 24, 2005, Council adopted a resolution authorizing the sale of properties, if acquired by eminent domain, and sufficient tax credits are allocated, to the City of Camden Redevelopment Corporation (a private non-profit), for projects involving the construction or rehabilitation of low and moderate income housing in Cramer Hill.
- f. On March 10, 2005, Council adopted two resolutions endorsing “Resolutions of Need” in support of the River Road Development Sites E and F Project.
- g. On July 14, 2005 Council adopted a resolution accepting a grant from the NJ Economic Development Authority’s Hazardous Discharge Site Remediation Fund

to conduct a Limited Site Investigation for a Brownfield site, Cramer Hill Relocation Project 1, in the Cramer Hill Neighborhood.

172. One or more of Council President Fuentes, Councilmember Nieves, and Council Vice President Redd voted on each of the resolutions and ordinances identified in the preceding paragraph while in positions of conflict of interest.

173. COO Primas did not veto or challenge the adoption of Acquisition Ordinance C-9643 or any of the other ordinances and resolutions that were passed with the intent to effectuate the Plan.

H. Council's Second Attempted Readoption of Study and Plan

174. On May 3, 2005, the court, pursuant to Plaintiffs' Motion for Summary Judgment, ruled that the attempted readoption of the resolution designation that Cramer Hill was in need of redevelopment, and the first reading of the ordinance readopting the Redevelopment Plan, both of which had occurred at a meeting of City Council on February 3, 2005, were illegal and of no effect.

175. The court granted defendant City of Camden ninety (90) days to attempt to again pass the resolution and ordinance.

176. On July 14, 2005, at a regular meeting the City Council passed a resolution attempting to formally determine the Cramer Hill Redevelopment Study Area to be an area in need of redevelopment under N.J.S.A. 40A:12A-1 et seq.

177. Said resolution of July 14, 2005 is defective in that:

- a) it incorrectly declares that, at the hearings of May 11, 2004 and May 18, 2004, the Planning Board “considered all comments regarding the study and the proposed designation.
- b) it found, without evidentiary foundation that the inclusion in the Study Area of lands, buildings or improvements not themselves detrimental to the community is necessary from a planning perspective;
- c) it incorrectly stated that the Resolution of the Planning Board of May 18, 2004 was “duly adopted”;
- d) it incorrectly stated that the Resolution of June 15, 2004 approving the designation was “duly adopted”;
- e) it purported to rescind the Resolution of June 15, 2004 approving the designation when that resolution was void abinitio.

178. On July 14, 2005, City Council also introduced for first reading an Ordinance Readopting the Cramer Hill Redevelopment Plan.

179. Said ordinance of July 14, 2005 is defective in that:

- a) it incorrectly declares that, at the hearings of May 11, 2004 and May 18, 2004, the Planning Board “considered all comments regarding the study and the proposed designation. . .”;
- b) it incorrectly found that the inclusion in the Study Area of lands, buildings or improvements not themselves detrimental to the community is necessary from a planning perspective;
- c) it incorrectly stated that the Resolution of the Planning Board of May 18, 2004 was “duly adopted”;

- d) it incorrectly stated that the Resolution of June 15, 2004 approving the designation was “duly adopted”;
- e) it incorrectly stated that the Ordinance introduced on June 15, 2004 was adopted on June 30, 2004 when in fact, the vote was void;
- f) it incorrectly stated that a “public hearing” was held prior to the adoption of the Ordinance, when, public speakers were deprived of the full ability to present testimony, and written testimony was not reviewed;
- g) it incorrectly rejected the recommendations of the Planning Board of May 18, 2004 without proper evidence or justification on the record;
- h) it purported to repeal the Ordinance of June 15 and June 30, 2004 when that Ordinance was void abinitio ;
- i) it purported to rescind the resolution of June 15, 2004 approving the designation when that resolution was void abinitio;

180. At the July 14, 2005 meeting of City Council persons, including plaintiffs, raised the objections that they had previously raised before the Planning Board and Council.

181. On July 28, 2005, City Council held a public hearing on the Ordinance Readopting the Cramer Hill Redevelopment Plan. Public comments were unlawfully limited.

182. On July 28, 2005, Plaintiffs submitted to the Council written objections to the Plan, summarizing and incorporating the written and oral objections submitted by the Plaintiffs to the Planning Board on May 11, and May 18, 2004 and at the Council meetings of June 15, and June 30, 2004, February 3, 2005 and February 16, 2005, and July 14, 2005.

183. At the conclusion of the July 28, 2005, meeting, without a review of the transcript and without reading and considering the written comments from concerned parties, the City Council passed the ordinance again attempting to adopt the Redevelopment Plan.
184. Councilwoman Dana Redd voted in favor of the Ordinance.
185. At each vote on the designation of the redevelopment area and the adopted of the Plan and continuing at all times up to the present, Dana Redd had a conflict of interest.
186. On July 1, 2005, Curtis Jenkins became a member of the Camden City Council.
187. At all relevant times on and before July 14, 2005, and up to and including July 20, 2005 when his successor was appointed and seated, Curtis Jenkins was a member of the Board of Commissioners of the Housing Authority of the City of Camden.
188. On July 14, 2005 newly elected Councilman Curtis Jenkins voted in favor of:
- a. the resolution attempting to readopt the designation;
 - b. the ordinance attempting to readopt the Plan, and
 - c. the resolution accepting to grant from the NJ Economic Development Authority's Hazardous Discharge Site Remediation Fund to conduct a Limited Site Investigation for a Brownfield site, Cramer Hill Relocation Project 1, in the Cramer Hill Neighborhood.
189. On information and belief, Councilman Jenkins participated in other activities in his capacity as Councilman on and after July 1, 2005 up to and including July 20, 2005 which were in furtherance of the Plan.
190. Council President Fuentes, Councilmember Nieves, Council Vice President Redd and Councilmember Jenkins, at the various times they participated in Council caucuses and meetings and voted on the numerous resolutions and ordinances related to the designation

and the Plan, were aware, or should have been aware, that four (4) affirmative votes of Council members were necessary to lawfully adopt the Plan.

191. In addition to failing to exercise his veto power after any of the Council votes attempting to adopt the designation and the Plan, the COO was directly and personally involved in the redevelopment process, through actions including but not limited to the following:

- a. As chief executive, the COO directed all of the activities of City administration, including the actions of the Director of the Department of Redevelopment and Planning and his staff, and as Chair of the Camden Redevelopment Agency, the COO directed the actions of the same individual in his capacity as Executive Director of the Agency and other Agency staff and Board members;
- b. The COO attended and made presentations in favor of the proposed plan in numerous public meetings;
- c. The COO directly encouraged other defendants to pursue adoption and implementation of the proposed plan.
- d. The COO made promises to the public regarding the effects of a redevelopment plan on certain residents and business in Cramer Hill which are not supported by the language of the City's proposed plan.

192. By adopting, failing to veto, and taking actions to implement the Plan, the Planning Board, City Council and COO Primas disregarded all of the input they had received from Cramer Hill and other City residents and failed to address the residents' objections and concerns, including the evidence of a severe shortage of affordable housing and the limited funding for the creation and preservation of affordable housing units.

193. The Redevelopment Plan is so expansive in its scope and proposes such dramatic changes for the Cramer Hill community that its implementation would have direct impact upon the public safety, economic development, and housing conditions in the surrounding region, so that review by the Regional Impact Council is necessary to further the purposes of the MRERA.
194. The City has made no finding in the Needs Study or Redevelopment Plan or otherwise that Ablett Village “is obsolete as to physical condition, location, or other factors, making it unsuitable for housing purposes” or that “no reasonable program of modifications is cost-effective to return the public housing project or portion of the project to useful life” as required by Section 18 of the United States Housing Act of 1937, 42 U.S.C. § 1437p, and its implementing regulations at 24 C.F.R. Part 970.
195. The Camden Housing Authority has not submitted a Demolition / Disposition Application Form HUD-52860 to HUD concerning Ablett Village, nor has HUD approved any such demolition or disposition application in accordance with 42 U.S.C. § 1437p and 24 C.F.R. Part 970.
196. Further, the City has made no provision in the Redevelopment Plan to comply with the requirements of Section 250 of the National Housing Act, 12 U.S.C. § 1715z-15, and Section 8(t) of the United States Housing Act, 42 U.S.C. §1437f(t), which require notice to Centennial Village residents, HUD approval to prepay the mortgage or purchase the property, HUD approval to terminate the Housing Assistance Payments contract and Regulatory Agreement that does not expire until 2013, and HUD authorization and allocation for enhanced vouchers to relocate the residents.

197. There is a grossly inadequate supply of affordable, safe and decent housing in the region, including the City of Camden, Camden County and the State of New Jersey, as evidenced by facts such as:

- a. The Housing Authority of the City of Camden has experienced a reduction of five hundred seventy (570) public housing homes, between 1997 and 2004;
- b. The combined waiting lists for the Housing Authority of the City of Camden for public housing and Section 8 subsidies is over three thousand (3000) families;
- c. The Camden office of the New Jersey Department of Community Affairs maintains waiting lists in the hundreds;
- d. Federal funding for the public housing and Section 8 programs has decreased;
- e. There is very limited funding through state programs such as the Low Income Tax Credit Program and the Balanced Housing programs to finance construction and rehabilitation of affordable units;
- f. A significant number of low and very low-income households experience housing cost burdens, i.e. pay an unacceptably high percentage of their income for housing-related costs.

198. The City of Camden has undertaken the process of preparing studies to determine whether every neighborhood in the city is an area in need of redevelopment and to adopt redevelopment plans for each neighborhood. It has already adopted, in addition to Cramer Hill, redevelopment plans for the Centerville, Parkside, Fairview, Waterfront South, Central Downtown, Bergen Square and Cooper Plaza neighborhoods. Several of the adopted and proposed plans call for expansive use of eminent domain and extensive forcible displacement and relocation of low-income residents. Most of the plans also call

for creation of new housing units for persons with a range of incomes, including significant numbers of new market rate units. These redevelopment plans, if implemented, will cause continued decrease in the number of units affordable to current residents of Camden City unless every lost affordable unit is replaced. Replacement of units that are affordable to current residents would require massive expenditures of limited public funds and is therefore unfeasible.

FIRST COUNT

DEFENDANTS' ADOPTION OF THE CRAMER HILL REDEVELOPMENT DESIGNATION AND REDEVELOPMENT PLAN CONSTITUTE VIOLATIONS OF THE GENERAL WELFARE UNDER ARTICLE I, PARAGRAPH 1 AND ARTICLE VIII, SECTION 3, PARAGRAPH 1 OF THE NEW JERSEY CONSTITUTION.

199. Plaintiffs reallege herein the allegations set forth in each and every other paragraph of the Complaint.

200. The Cramer Hill redevelopment designation and Redevelopment Plan violate the New Jersey Constitution, Art I., Par. 1, and Art. VIII, Section 3, Par. 1, by:

- a. failing to ensure that the regulation and use of land be made in such manner as to promote the public health, safety, and general welfare of people of all incomes and economic status within Camden;
- b. destroying existing affordable housing and forcibly displacing low-income residents,
- c. failing to replace lost affordable housing, and

d. failing to act and legislate for the general welfare of people throughout the State of New Jersey, including the region wherein Camden City lies.

SECOND COUNT

DEFENDANTS CITY PLANNING BOARD, CITY COUNCIL, AND COO PRIMAS
VIOLATED PUBLIC NOTICE AND PARTICIPATION PROCEDURES UNDER THE NEW
JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

201. Plaintiffs reallege herein the allegations set forth in each and every other paragraph of the Complaint.

202. The Planning Board, City Council, and COO Primas violated procedures for public notice and participation mandated under the LRHL, N.J.S.A. 40A:12A-1 et seq., in determining that Cramer Hill is an area in need of redevelopment and adopting the Redevelopment Plan by:

- a. involving the Camden Redevelopment Agency in the redevelopment process without statutorily mandated authorization;
- b. selecting a developer and endorsing a development proposal prior to formal designation of the redevelopment area and adoption of a redevelopment plan;
- c. COO Primas participating as Chair and member of the Camden Redevelopment Agency Board;
- d. failing to give proper notice of public meetings;
- e. making misleading statements and assurances to the public;
- f. limiting opportunity for public review and comment, and failing to consider written submissions to the Planning Board and Council;

THIRD COUNT

DESIGNATION OF CRAMER HILL AS A REDEVELOPMENT AREA WAS ARBITRARY AND CAPRICIOUS AND CONTRARY TO THE PROVISIONS OF NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

203. Plaintiffs reallege herein the allegations set forth in each and every other paragraph of the Complaint.

204. The Study relied upon by the Planning Board and City Council in determining that Cramer Hill meets the criteria of an area in need of redevelopment pursuant to criteria (b), (e), and (g) of the LRHL, N.J.S.A 40A:12A-5, is not accurate, was not developed in a professional manner, is superficial, erroneous, speculative, inconsistent and incomplete.

- a. The Planning Board and City Council erred in accepting the conclusions of the Study that the Cramer Hill neighborhood as a whole met criteria (b) and (e) of the LRHL, as very few properties in the area are abandoned industrial sites, most industrial and commercial properties in the area are in active use, the population of the area has remained stable over the last decade, the vacancy rate among residential properties is only 6%, and there is no evidence of problems with title conditions or diverse ownership of parcel.
- b. The Study further erroneously concludes that a designation as an Urban Enterprise Zone automatically qualifies it as a redevelopment area, contrary to the prohibition set forth under N.J.S.A. 40A:12A-5(g).

205. Cramer Hill does not meet any of the other criteria set forth in the LRHL, N.J.S.A. 40A:12A-5, as most properties are in fair or good condition, there is no evidence of the

presence of buildings that lack light and sanitary facilities or are so dilapidated as to be detrimental to health and safety, and there are no areas destroyed by natural disasters.

206. City Council attempted on February 16, 2005, to readopt the designation of Cramer Hill as an area in need of redevelopment based in part on criteria (a), (c) and (d) of the LRHL, N.J.S.A 40A:12A-5. Such a determination is not supported by substantial evidence since the only Study upon which City Council relied made no such findings or conclusions.

FOURTH COUNT

ADOPTION OF THE REDEVELOPMENT PLAN WAS ARBITRARY AND CAPRICIOUS
AND CONTRARY TO THE PROVISIONS OF NEW JERSEY LOCAL REDEVELOPMENT
AND HOUSING LAW, N.J.S.A. 40A:12A -1 ET SEQ.

207. Plaintiffs reallege herein the allegations set forth in each and every other paragraph of the Complaint.

208. The Redevelopment Plan does not substantially comply with the requirements of the LRHL, N.J.S.A. 12A-7, because it does not include adequate provisions for the temporary and permanent relocation of residents, including an estimate of the extent to which decent, safe, and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.

209. The Redevelopment Plan, although it completely rezones and drastically changes the character of the residential core of the Cramer Hill neighborhood, does not describe its relationship to pertinent municipal development regulations as required by N.J.S.A. 40A:12A-7(c).

210. The Redevelopment Plan is not substantially consistent with the City Master Plan or designed to effectuate the Master Plan, and the City Council failed to follow the procedures set forth in N.J.S.A. 40A:12A-7(d) for adoption of a redevelopment plan that is inconsistent with or not designed to effectuate a master plan.
211. City Council did not adequately consider the recommendations made by the Planning Board regarding the Plan and failed to follow the procedures required by N.J.S.A. 40A:12A-7(e) and (f) regarding consideration of the Planning Board's recommendations.
212. The Redevelopment Plan is inconsistent with the purposes of the LRHL, N.J.S.A. 40A:12A-2, as it does not serve to correct and ameliorate conditions of deterioration in a manner which promotes the advancement of community interests and physical development which will be most conducive to social and economic improvement of the state and its municipalities, as:
- a. It fails to provide for the housing needs of residents of Cramer Hill, the City and the region, requires unjustified use of the powers of eminent domain to forcibly displace local residents, and fails to preserve and provide for needed affordable housing, so that its implementation would increase and perpetuate overcrowding, excessive housing cost burdens, residence in substandard units, and homelessness of low and very low-income families;
 - b. The project requires significant expenditures of public funding, no funding has been committed to this project, and the funding sources relied upon in the Redevelopment Plan are very limited and not likely to be available;

- c. The proposed drastic land use changes and development initiatives for the neighborhood represent poor planning and are contrary to the interests of area residents; and
- d. It was strongly opposed by Cramer Hill and Camden City residents.

FIFTH COUNT

DEFENDANT CITY COUNCIL MEMBERS ANGEL FUENTES, ISRAEL NIEVES, DANA REDD AND CURTIS JENKINS HAD AND HAVE CONFLICTS OF INTERESTS IN VIOLATION OF N.J.S.A. 40A:9-22.5 AND STATE COMMON LAW

213. Plaintiffs reallege herein the allegations set forth in each and every other paragraph of the Complaint.

214. The Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq., establishes a statutory code of ethics for local government officials in order to assure standards of ethical conduct and financial disclosure. The code includes the following;

- a. No local government officer or employee or member of his immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of his duties. 40A:9-22.5a.
- b. No local government officer or employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others. 40A:9-22.5c.
- c. No local government officer or employee shall act in his official capacity in any matter where he, a member of his immediate family, or a business

organization in which he has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his objectivity or independence of judgment." N.J.S.A. 40A:9-22.5d.

- d. No local government officer or employee shall use, or allow to be used, his public office or employment, or any information, not generally available to the members of the public, which he receives or acquires in the course of and by reason of his office or employment, for the purpose of securing financial gain for himself, any member of his immediate family, or any business organization with which he is associated. 40A:9-22.5g.

215. Actions by local officials also violate New Jersey common law when they involve direct or indirect conflicts of pecuniary, personal or fiduciary interests.

216. Council members Fuentes and Nieves, who have interest in real estate in Cramer Hill, violated N.J.S.A. 40A:9-22.5 and the common law when they voted in favor of the Cramer Hill designation and redevelopment plan and when they voted or participated in any way regarding the adoption of every resolution and ordinance that directly or indirectly was in furtherance of the Cramer Hill redevelopment plan.

217. Council Vice President Redd, violated N.J.S.A. 40A:9-22.5, and the common law when she participated in any Council activity or meeting or voted on any resolution or ordinance in furtherance of the designation or Plan.

218. Councilman Curtis Jenkins, violated N.J.S.A. 40A:9-22.5, and the common law when, on or before July 20, 2005, he participated in any Council activity or meeting or voted on any resolution or ordinance in furtherance of the designation or Plan.

219. As a direct and proximate result of the participation and voting of Council members Fuentes, Nieves, Redd and Jenkins, in the designation of the redevelopment area and adoption of the Cramer Hill redevelopment plan, and in resolutions and ordinances directly or indirectly in furtherance of the Cramer Hill redevelopment plan, all actions of City Council to adopt and readopt the Cramer Hill redevelopment plan, as well as all actions directly or indirectly in furtherance of the Cramer Hill redevelopment plan, have been tainted and are void.

220. By participating in Council caucuses and meetings and voting on the numerous resolutions and ordinances related to the designation and the Plan, while they knew or should have known that: a) each was in a position of conflict of interest and b) four (4) affirmative votes of Council members were necessary to lawfully adopt the Plan, Council President Fuentes, Councilmember Nieves, Council Vice President Redd and Councilmember Jenkins, violated the public trust and the Local Government Ethics Law.

SIXTH COUNT

THE CAMDEN REDEVELOPMENT AGENCY'S SELECTION OF CHEROKEE AS REDEVELOPER AND ITS ACTIONS TO EFFECTUATE THE PLAN ARE VOID AND ULTRA VIRES IN VIOLATION OF N.J.S.A. 40A:12A-8 OF THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW.

221. Plaintiffs reallege herein the allegations set forth in each and every other paragraph of the Complaint.

222. Pursuant to authority granted by N.J.S.A. 40A:12A-8, the Camden Redevelopment Agency was permitted to undertake redevelopment activities, including the selection of a redeveloper, only after Camden City Council properly adopted a redevelopment plan.
223. Even if the attempted adoption of the Plan on June, 30, 2004 were lawful, all of the Camden Redevelopment Agency's redevelopment-related actions taken prior to June 30, 2004, including the selection of Cherokee Investment Partners as redeveloper in December 2003, are void and ultra vires in violation of the Agency's authority to act granted under N.J.S.A. 40A:12A-8.
224. Because Council failed to properly adopt the Plan on June 30, 2004 and again on February 16, 2005, and again on July 28, 2005, all actions of the Camden Redevelopment Agency taken since June 30, 2004 regarding Cramer Hill are void and ultra vires in violation of the Agency's authority to act granted under N.J.S.A. 40A:12A-8.

SEVENTH COUNT

ACQUISITION ORDINANCE C-9643 IS ULTRA VIRES AND VOID IN VIOLATION OF THE NEW JERSEY FAIR HOUSING ACT, N.J.S.A. 52:27D-301 ET SEQ. AND OTHERWISE ILLEGAL

225. Plaintiffs reallege herein the allegations set forth in each and every other paragraph of the Complaint.
226. The Fair Housing Act, N.J.S.A. 52:27D-301 et seq., creates a statutory and administrative mechanism for comprehensive planning and implementation of the constitutional obligation of every municipality in a growth area to provide through its land use regulations an opportunity for a fair share of low and moderate income housing. The

Legislature has delegated the authority to administer the Fair Housing Act to the Council on Affordable Housing.

227. Before exercising any of statutory grant of authority under the Fair Housing Act, a municipality must first fully comply with the Fair Housing Act's procedural and substantive requirements. Specifically, a municipality must, among other things: (a) notify the Council on Affordable Housing (COAH) of its intent to submit a fair share housing plan, N.J.S.A. 52:27D-309; (b) draft and adopt a housing element and fair share housing plan in accordance with the Act's dictates, .N.J.S.A. 52:27D-310 & -311; (c) submit its a housing element and fair share housing plan for approval to COAH and petition COAH for substantive certification, N.J.S.A. 52:27D-313; (d) receive substantive certification from COAH, N.J.S.A. 52:27D-314, including approval of any housing element calling for the demolition of existing residential structures, N.J.S.A. 52:27D-313.1; (e) and adopt a fair share housing ordinance within 45 days of COAH's grant of substantive certification, N.J.S.A. 52:27D-314.
228. The City of Camden: (a) has never notified the Council on Affordable Housing (COAH) of its intent to submit a fair share housing plan; (b) has never adopted a housing element and fair share housing plan according to the Fair Housing Act's dictates; (c) has never submitted a housing element and fair share housing plan to COAH for approval and has never petitioned COAH for substantive certification; (d) has never received substantive certification from COAH, including any approval of a housing element calling for the demolition of existing residential structures; (e) and has never adopted a fair share housing ordinance within 45 days of COAH's grant of substantive certification, N.J.S.A. 52:27D-314.

229. Because the City of Camden has never complied with the Fair Housing Act's procedural and substantive mandates, the City cannot lawfully invoke N.J.S.A. 52:27D-325 of the Fair Housing Act, which authorizes municipalities to use eminent domain when needed to attain the Act's goals of providing its fair share of low and moderate income housing.
230. The City Council acted without proper authority in adopting Acquisition Ordinance C-9643 to exercise the powers of eminent domain pursuant to N.J.S.A. 52:27D-325 of the Fair Housing Act.
231. Defendants have acted improperly and unlawfully under N.J.S.A. 52:27D-325 in adopting Acquisition Ordinance C-9643, to implement the Cramer Hill Redevelopment Plan without complying with the LRHL's procedural and substantive requirements.
232. Defendants have acted improperly and unlawfully in their attempt to acquire real property by eminent domain through N.J.S.A. 52:27D-325 and Acquisition Ordinance C-9643, because the acquisition of the property specified in Ordinance C-9643 and the development thereon of new residential units has always been part of the Cramer Hill Redevelopment Plan, and the enactment of Ordinance C-9643 was and is a subterfuge to implement the Plan without complying with the LRHL's procedural and substantive requirements.
233. The City's actions in proceeding with the acquisition of these 72 properties and related activities to implement the Plan, including the demolition of Ablett Village and Centennial Village, will result in significant net loss of affordable housing units, in violation of the spirit and purpose of the Fair Housing Act.
234. Acquisition Ordinance C-9643 is ultra vires and void and the actions of the City of Camden, City Council, and the Camden Redevelopment Agency regarding acquisition of

these properties pursuant to the Fair Housing Act are arbitrary, capricious, and unreasonable.

EIGHTH COUNT

ACTIONS BY DEFENDANT CITY COUNCIL TO ADOPT ORDINANCES AND RESOLUTIONS TO IMPLEMENT THE REDEVELOPMENT PLAN FOR CRAMER HILL WERE PREMATURE AND THE ORDINANCES AND RESOLUTIONS ARE VOID BECAUSE COUNCIL HAD NOT PROPERLY ADOPTED A REDEVELOPMENT PLAN.

235. Plaintiffs reallege herein the allegations set forth in each and every other paragraph of the Complaint.

236. The City did not comply with the requirements of the LRHL, N.J.S.A. 40A:12A -1 et seq., and the Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq., in any of its three attempts to adopt the Cramer Hill redevelopment plan. The Plan is also violative of federal and state law as set forth in this Complaint.

237. The following ordinances and resolutions adopted by Council are premature, arbitrary, capricious, unreasonable, and ultra vires, as there is no properly enacted and valid redevelopment plan in effect:

- a. Ordinance Authorizing the Transfer of 38 City Owned Properties to the Camden Redevelopment Agency, transferring ownership of 38 properties in Cramer Hill to the Agency;
- b. Ordinance Authorizing the Transfer of 355 City Owned Properties to the Camden Redevelopment Agency, transferring ownership of 355 properties in Cramer Hill to the Agency;

- c. Resolution awarding a contract for professional services to the law firm of Zeller Bryant, LLP as special counsel for the purpose of acquiring 140 properties for use in the Cramer Hill Affordable Housing Project by eminent domain;
- d. Two ordinances authorizing a tax exemption and service fee in lieu of taxes and the execution of a financial agreement between the City and River Hayes Urban Renewal Associates II, L.P. for River Road Development Sites E and F;
- e. Resolution authorizing the sale of properties, if acquired by eminent domain, and sufficient tax credits are allocated, to the City of Camden Redevelopment Corporation (a private non-profit), for projects involving the construction or rehabilitation of low and moderate income housing in Cramer Hill;
- f. Acquisition Ordinance C-9643, authorizing use of eminent domain to acquire 72 properties on the Redevelopment Plan “to be acquired” list or the “may be acquired” list;
- h. Two resolutions endorsing “Resolutions of Need” in support of the River Road Development Sites E and F Project;
- h. Two ordinances authorizing a tax exemption and service fee in lieu of taxes and the execution of a financial agreement between the City and River Hayes Urban Renewal Associates II, L.P. for River Road Development Sites E and F.
- i. The resolution accepting to grant from the NJ Economic Development Authority’s Hazardous Discharge Site Remediation Fund to conduct a Limited Site Investigation for a Brownfield site, Cramer Hill Relocation Project 1, in the Cramer Hill Neighborhood.

NINTH COUNT

THE DEFENDANTS HAVE VIOLATED THE STATE RELOCATION ASSISTANCE LAW, N.J.S.A. 52:31B-1 ET SEQ., BY PROCEEDING WITH ACQUISITION OF 43 OCCUPIED RESIDENTIAL PROPERTIES WITHOUT SUBMITTING A PROPER WORKABLE RELOCATION ASSISTANCE PLAN TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS AND OBTAINING DCA APPROVAL THEREOF.

238. Plaintiffs reallege herein the allegations set forth in each and every other paragraph of the Complaint.

239. Pursuant to N.J.S.A. 52:31B-5 of the Relocation Assistance Law of 1967, and the regulations promulgated thereunder at N.J.A.C. 5:11-6.1, municipalities have an affirmative duty to develop a Workable Relocation Assistance Plan (“WRAP”), and to certify it for approval by the Commissioner of the New Jersey Department of Community Affairs, whenever seeking to acquire any real property for public use.

240. Pursuant to N.J.S.A. 52:31B-5(b), “Every workable relocation assistance program . . . shall include such measures, facilities, techniques or services . . . as may be necessary or appropriate” in order to, inter alia, “determine the needs of displaced persons and business concerns for relocation assistance”; “assist in minimizing hardships to displaced persons in adjusting to relocation”; “assist each displaced person to secure decent, safe and sanitary dwelling units at prices or rents within his means and in areas reasonably accessible to his place of employment and not generally less desirable in regard to public utilities and public and commercial facilities”; and “provide for fair and reasonable relocation assistance payments. . . .”

241. In addition, N.J.S.A. 52:31B-5(b) requires displacing municipalities “to secure to the greatest extent practicable, the co-ordination of relocation activities with other project activities and other planned or proposed governmental actions in the community or nearby areas which may affect the execution of the workable relocation program.”

242. According to N.J.S.A. 52:31B-6(a), “No State agency or unit of local government shall . . . displace or remove, or cause to be displaced or removed, any person or business concern on account of the acquisition of any real property for public use . . . unless:

(1) any workable relocation assistance program required by subsection (a) of section 5 of this act shall have been submitted to, and approved by, the commissioner;

(2) the chief executive officer of said State agency or unit of local government shall have filed with the commissioner the certification required by subsection (a) of section 5 of this act;

(3) an alternate dwelling unit as described in section 5(b)(2) of this act is available for each person displaced or removed, or caused to be displaced or removed; and

(4) the commissioner shall have certified to the chief executive officer of said State agency or unit of local government that the provisions of this act have been complied with.”

243. Further, pursuant to regulations at N.J.A.C. 5:11-6.1(b), municipalities must submit the WRAP to the Commissioner of DCA “a reasonable time prior to the eligibility date for benefits,” which N.J.A.C. 5:11-2.2 defines as “the date of the first written offer to purchase the property.”

244. In the Cramer Hill Redevelopment Plan, defendants have estimated that 1,200 residential households and 40 commercial interests will be displaced and will require relocation assistance as a result of defendants’ planned redevelopment actions.

245. Sometime on or after March 23, 2005 the Camden Redevelopment Agency submitted a document titled: Workable Relocation Assistance Plan for the Cramer Hill Neighborhood Project designated Redevelopment Areas E & F to the Commissioner of the DCA for approval.

246. To date the Commissioner of the DCA has failed to approve this document.

247. Defendants have violated the requirements of N.J.S.A. 52:31B-5 and N.J.A.C. 5:11-6.1 and their duties thereunder by serving written offers to purchase 43 occupied residential properties without first obtaining the approval of a proper WRAP by the DCA.

248. Such written offers are null and void and defendants are prohibited by N.J.S.A. 52:31B-1 et seq. from proceeding with any further condemnation procedures regarding such properties until defendants have first obtaining the approval of a proper WRAP by the DCA.

249. Defendants have further violated the requirements of N.J.S.A. 52:31B-5 and N.J.A.C.

5:11-6.1 and their duties thereunder by failing to coordinate the relocation activities under the Cramer Hill Redevelopment Plan with other project activities and other planned or proposed governmental actions in the community or nearby areas.

250. Defendants are prohibited by N.J.S.A. 52:31B-5 from proceeding with any further condemnation procedures regarding any and all properties listed as to be acquired in the Cramer Hill Redevelopment Plan until defendants have first obtaining the approval of a proper WRAP by the DCA.

TENTH COUNT

IMPLEMENTATION OF THE PLAN REQUIRES AN UNLAWFUL TAKING IN VIOLATION OF THE FIFTH AMENDMENT TO THE UNITED STATES CONSTITUTION

251. Plaintiffs incorporate and reallege the allegations set forth hereinabove as though fully set forth herein.

252. The implementation of the Redevelopment Plan will require the taking of Plaintiffs' homes in the Cramer Hill neighborhood and replacing them with private development for the direct benefit of Cherokee and other private developers associated with Cherokee.

253. The takings proposed in the Redevelopment Plan are not for a public use but, rather, would constitute a private use.

254. Defendants have taken and are taking these actions under color of law.

255. The Fifth and Fourteenth Amendments to the United States Constitution prevent the defendants from taking private property for the private use of another private party.

256. Designating the Cramer Hill neighborhood as a redevelopment area and adopting the Redevelopment Plan to take Plaintiffs' properties violates the Fifth Amendment to the United States Constitution and is beyond the defendants' authority.
257. Most of the properties in the Cramer Hill neighborhood are in fair or good condition, there is no lack of light and sanitary facilities, and there are no properties so dilapidated as to be detrimental to health and safety of the community.
258. Notwithstanding the absence of blight in the Cramer Hill neighborhood, the defendants' have designated the neighborhood as a redevelopment area under the LRHL, N.J.S.A. 40A:12A-1 et seq.
259. To the extent that the LRHL permits defendants to use eminent domain to take Plaintiffs' properties without their consent and to turn said properties over to Cherokee and/or other developers in order to generate private profits for a private use, absent the existence of real and substantial blight in that neighborhood., the LRHL, N.J.S.A. 40A:12A-1 et seq., as written and as applied in this case, violates the Fifth and Fourteenth Amendments to the United States Constitution.
260. Plaintiffs do not wish to have their properties taken through eminent domain, and are affected and aggrieved by the said actions of defendants.
261. There is no adequate remedy at law available to Plaintiffs, and the actions of the Defendants have caused, and will cause, immediate and irreparable harm to them.

ELEVENTH COUNT

IMPLEMENTATION OF THE PLAN REQUIRES AN UNLAWFUL TAKING IN VIOLATION
OF ARTICLE I, PARAGRAPH 20 AND ARTICLE VIII, SECTION 3, PARAGRAPH 1 OF
THE NEW JERSEY CONSTITUTION

262. The Plaintiffs incorporate and reallege the allegations set forth hereinabove as though fully set forth herein.

263. Art. I, par. 20 of the New Jersey Constitution provides that "Private property shall not be taken for public use without just compensation. Individuals or private corporations shall not be authorized to take private property for public use without just compensation first made to the owners".

264. Art. VIII, Section 3, par. 1 of the New Jersey Constitution prohibits the taking of any private property for the purpose of clearance, replanning, development or redevelopment unless the area is blighted.

265. There being no lawful determination that the Cramer Hill area is blighted, and no public purpose having been lawfully demonstrated, any taking of private property in Cramer Hill constitutes a violation of the New Jersey Constitution.

TWELTH COUNT

VIOLATION OF THE UNITED STATES HOUSING ACT OF 1937 AND THE NATIONAL
HOUSING ACT.

281. Plaintiffs reallege herein the allegations set forth in each and every other paragraph of the Complaint.

282. The Camden Redevelopment Agency, City Planning Board, and City Council have adopted a Needs Study and a Redevelopment Plan which fail to address, and therefore

violate, the substantive and procedural mandates of 42 U.S.C. § 1437p to obtain approval from HUD to demolish the Ablett Village public housing development and relocate the residents. The adopted Needs Study and Redevelopment Plan also fail to address, and therefore violate, the substantive and procedural requirements of Section 250 of the National Housing Act, 12 U.S.C. § 1715z-15, and Section 8(t) of the United States Housing Act, 42 U.S.C. § 1437f(t), which require notice to Centennial Village residents, HUD approval in order to prepay the mortgage or purchase the property, HUD permission to terminate an unexpired Housing Assistance Payments Contract and Regulatory Agreement, and HUD approval and an allocation for funding of enhanced vouchers to relocate the residents.

THIRTEENTH COUNT

DEFENDANTS' ACTIONS ARE IN VIOLATION OF THE FEDERAL FAIR HOUSING ACT, TITLE VIII OF THE CIVIL RIGHTS ACT OF 1968, 42 U.S.C. §3601 ET SEQ.

266. Plaintiffs reallege herein the allegations set forth in each and every other paragraph of the Complaint.

267. The Redevelopment Plan unlawfully discriminates against African-American and Hispanic households living within the Cramer Hill in violation of the federal Fair Housing Act, Title VIII of the Civil Rights Act of 1968, 42 U.S.C. §3601 et seq. By demolishing more than 1,200 affordable homes within the Cramer Hill neighborhood--including 300 public housing rental units at Ablett Village, 200 Section 8 rental units at Centennial Village and nearly 700 additional homes, which are predominately occupied

by lower-income African-American and Hispanic households--and failing to provide for the construction of comparable affordable replacement housing units within Cramer Hill, defendants will cause the disproportionate displacement and forced removal of African-American and Hispanic households from their homes, and thus will have a discriminatory impact upon the basis of race, color and national origin in violation of 42 U.S.C. §3604(a).

FOURTEENTH COUNT

DEFENDANTS HAVE VIOLATED THE NEW JERSEY LAW AGAINST DISCRIMINATION, N.J.S.A. 10:5-1 ET SEQ.

268. Plaintiffs reallege herein the allegations set forth in each and every other paragraph of the Complaint.

269. The Redevelopment Plan unlawfully discriminates against African-American and Hispanic households living within the Cramer Hill in violation of the New Jersey Law Against Discrimination, N.J.S.A. 10:5-12.5. By demolishing more than 1,200 affordable homes within the Cramer Hill neighborhood--including 300 public housing rental units at Ablett Village, 200 Section 8 rental units at Centennial Village and nearly 700 additional homes, which are predominately occupied by lower-income African-American and Hispanic households--and failing to provide for the construction of comparable affordable replacement housing units within Cramer Hill, defendants will cause the disproportionate displacement and forced removal of African-American and Hispanic households from their homes, and thus will have a discriminatory impact upon the basis of race, color and national origin in violation of N.J.S.A. 10:5-12.5.

PRAYER FOR RELIEF

The Plaintiffs seek the following relief:

- A. For declaratory relief invalidating each and every attempted adoption of the Cramer Hill Redevelopment Designation and Redevelopment Plan by COO Primas, the City of Camden Planning Board and the Camden City Council;
- B. For declaratory relief invalidating the adoption of ordinances and resolutions effectuating or in any way furthering any part or component of the Redevelopment Plan;
- C. For an order preliminarily and permanently enjoining and prohibiting the COO Primas and municipal defendants from implementing any part of the Cramer Hill Redevelopment Designation and Redevelopment Plan;
- D. Awarding compensatory damages;
- E. Awarding punitive damages;
- F. Awarding Plaintiffs costs of suit;
- G. Granting such other relief and the Court deems just and proper.

Dated: August 29, 2005 SOUTH JERSEY LEGAL SERVICES, INC.

Attorneys for Plaintiffs

By: _____ By: _____
DAVID M. PODELL, ESQUIRE DAVID T. RAMMLER, ESQUIRE

By: _____ By: _____
KENNETH M. GOLDMAN, ESQUIRE OLGA D. POMAR, ESQUIRE

By: _____
DOUGLAS E. GERSHUNY, ESQUIRE

DESIGNATION OF TRIAL COUNSEL

In accordance with R. 4:5-1(c), David Rammler, Esquire, is hereby designated as trial counsel on behalf of Plaintiffs in this matter.

RULE 4:69-4 CERTIFICATION

Pursuant to Rule 4:69-4, I hereby certify that all necessary transcripts of the proceedings below have been ordered.

RULE 4:5-1(b) CERTIFICATION

Pursuant to Rule 4:5-1(b), I hereby certify that to the best of my knowledge the matter in controversy is not the subject of any other action pending in any court or of a pending arbitration proceeding and that no other action or arbitration proceeding are contemplated, and that I presently do not know the identity of any other party who should be joined in this action, except as follows:

Three lawsuits were filed challenging the adoption of the Cramer Hill Redevelopment Plan which were captioned W. Hargrove Recycling, Inc. v. City of Camden, et. al; Riverfront Recycling and Aggregate, L.L.C. v. City of Camden et al.; and Express Marine, Inc. and Tucker Towing v. City of Camden, et al., and which have been consolidated with this matter under. Docket No. CAM-L-004155-04

I certify that the foregoing statements made by me are true. I understand that if any of the above statements made by me are willfully false, I am subject to punishment.

Dated: August 29, 2005 SOUTH JERSEY LEGAL SERVICES, INC.

Attorneys for Plaintiffs

By:_____

DAVID T. RAMMLER, ESQUIRE

